

AMERICAN



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The AMERICAN RAIL-ROAD JOURNAL is published at 35 Wall-street, New-York, at \$3 a year, in advance.

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NEW YORK APRIL 28, 1832.

McADAM ROADS.—We give further extracts this week, from Mr. McADAM's "Remarks on Road Making." They are mostly confined, however, to the commissioners and officers under them, who are, according to his views, about as efficient as the "Commissioners of Highways and Path Masters" of our towns in the interior of the State, although they have decidedly the advantage of our countrymen in the means of accomplishing the object of their appointment. In England funds are generally provided and the laborers employed; in this country the work is performed, as it was formerly, and still is in some measure, in England, by the inhabitants residing in the vicinity, who are assessed according to their property, to be paid in labor if they choose; and in general, "working on the Highway," as it is termed, is rather a period of amusement to those engaged, than a benefit to the Roads. This applies, however, only to the common and not to the Turnpike Roads.—There can be no doubt of the importance of the employment of competent and honest superintendents, who understand their duty and will perform it. Under good management, one half of the expenditure would make far better Roads than we now have. It is not, however, to be expected, in a new country like this, that the Roads will be permanent and smooth; for we have neither the means for, nor the skill in Road-making that they have in England, yet we may, without additional expense, by attention to the mode of construction, have far better Roads than are common in this country, especially on the great thoroughfares.

We shall continue these extracts, as it may be convenient, until we have completed the publication of the book; and we ask for them an attentive perusal, believing as we do, that much information may be derived therefrom.

NEW YORK AND ALBANY RAIL-ROAD.—We have received from a gentleman at Albany, a pamphlet containing the act of incorporation of the above road; together with an estimate of the amount of business which will be furnished by the counties along, and contiguous to, the probable route of the road. It also contains much useful statistical information relative to the country through which it will pass, interesting to all who take pleasure in the prosperity of our country. We shall publish it entire in our next number; in the mean time, it may be had at the Messrs. Carvill's, or at this office.

By the following extract from the proceedings of the Board of Aldermen, it will be perceived that the HAERLEM RAIL-ROAD COMPANY are taking measures to continue their Rail-road through the principal avenues as far down as Prince-street. Of the propriety of this measure, under proper regulations, we have no doubt; and, so fully are we satisfied of its practicability, that we expect to see, within a few years, rails laid through all the principal business streets of the city.

Haerlem Rail-road.—The joint committee on Streets, Roads and Canals, to whom was referred the petition of the New York and Haerlem Rail-road Company, asking permission to extend their rails for the road from the north line of 23d street, down the 4th Avenue and Union Place to 14th street, and through such other streets as the Corporation will permit, in conformity to an amended act of their charter, made a report.

The committee say that they believe from the experience of other cities where the experiment has been fairly tried, that rails for cars to move on through paved streets may be so placed, as to cause no interruption to the common and regular purposes to which all streets in a city are adapted. The committee offered for the consideration of the Common Council the following resolution:

Resolved, That the New York and Haerlem Rail-road Company be permitted, and the Common Council hereby consent, that the said company may extend their Rail-road southerly from the north of Twenty-third street to Prince street, subject however to the same conditions and restrictions which the Common Council heretofore imposed upon the said company in respect to that part of the road above Twenty-third street. That the said company may forthwith proceed to lay down a single track through the 4th Avenue, Union Place, Bloomingdale road, and Broadway; and another single track through the Bowery, both as far south as Prince st. and after two months use of a single track, with convenient turnings at the several terminations, they may lay down a second track on each of the above mentioned routes—the same to be maintained by the company, subject at all times to the regulations of the Common Council, and subject also to the obligation of removing the whole or any part, in case the Common Council shall hereafter deter-

mine that the continuance of the same is injurious to the public interests; provided, that all the said rails shall be laid in such manner as shall be approved by the Street Commissioner, so as to cause no impediment to the common and ordinary use of the streets, &c.

THOMAS T. WOODRUFF,

For Comtee.

On motion of Ald. Palmer, the report and resolution were laid on the table and ordered to be printed.

The Engineer of the Charleston and Hamburg Rail-road has reported that the whole road is under contract with the exception of about three miles nearest Hamburg; and that it is to be completed by the month of November. He thinks the entire road will be ready for business by the first of January.

ENGINEER'S, MILLWRIGHT'S, AND MACHINIST'S TABLES.—We have before us a set of tables "of the proportional radii of wheels of from ten to four hundred teeth, together with other tables and rules applicable to the construction of millwork and other machinery; by Sereno Newton." The Author says—

"He makes no pretension to any mathematical investigations, or superior knowledge, in this department of mechanics; but, as much depends on their proportion and accurate performance, he is confident that any work tending to facilitate the calculation, or improve the proportion in any respect, will be acceptable to the engineer, millwright or practical machinist."

We consider Mr. Newton fully competent to give instruction in the subject upon which he writes. He has long been superintendent of the extensive establishment of Messrs. Robert Hoe & Co., of this city, and but recently returned from England, where he went to make himself familiar with the new inventions in the machinery of that country; and the work will, we have no doubt, be found highly useful to those for whom it is designed. It may be found at the Messrs. Carvill's, Broadway.

EFFECTS OF A RAIL-ROAD.—The Chester County Democrat says:—

"We have noticed with pleasure the great improvement made along the route of the West Chester Rail-road, in the appearance of farms. Wherever the Rail-road has passed, it has carried a stimulus to industry, displayed not only in solid and permanent improvements, but in attention to matters of comfort and ornament. Fences are put up or repaired, and arranged with neatness; garden paths are whitewashed; and fields, before perhaps never turned with a plough, and long given up to barrenness and poverty grass, are now broken up in readiness to receive the grain. Lime is spread out, and the eye of the passenger sees with delight, a new country, as it were dragged from obscurity and given to man. Such are the effects of industry and enterprise, and so highly beneficial are improvements in transportation by means of which time is saved, distances lessened and labor of man diminished."

[From Remarks on the Present System of Road-making, by J. McAdam, Esq., General Surveyor of Roads in the Bristol District, England.]

PART SECOND.

Commissioners, and Officers employed under them.

The care of the Turnpike Roads has been committed by Parliament, into the hands of commissioners, selected from that class of society most capable of executing the duties of superintendence, and from their station most likely to perform the duty with fidelity; in this respect the expectation of the public has not been disappointed; and there can be but one opinion, upon the obligations the country owes to this very respectable part of community. Perhaps the only useful regulation wanted, in respect to Commissioners, would be to confine the qualification of trustees to landed property.

The superintending and controlling power, so wisely placed by Parliament in the commissioners, has, however, been sufficient to secure all the objects of the Legislature. A scientific, laborious executive power is wanting; and no means have been thought of for this part of the service, it has been altogether neglected, or, at best, very unprofitably supplied by a set of surveyors, altogether ignorant of the duties of the office they were called upon to fill.*

General superintendence and gratuitous services, such as the law contemplated to receive from the commissioners of turnpikes, may be obtained, and have been faithfully and conscientiously given by the commissioners; but that constant and laborious attention, requisite to superintend the executive duties of a turnpike trust, cannot reasonably be expected from gentlemen engaged in other pursuits. Were they to undertake the task, it must be subject to all the interruptions of their private affairs, or other occupations; and this alone would render their services nugatory. Some instances of individual zeal and exertion, on the part of commissioners, in particular parts of the country, have served to show what benefit might be derived from providing each county with an executive officer, whose sole attention should be given to the business; whose services should be amply remunerated, and of whom the commissioners might of right demand an account of the manner in which their orders were carried into execution; who should examine and audit the accounts of the sub-surveyors; compare them with the work performed, and certify them, if approved, to the treasurers.

In a trust of any extent, say about 150 miles of Road, the time of such an officer would be very fully employed. He must direct the execution of repairs, and alterations of the Road, when ordered by the commissioners; and he must control the contracts and other agreements entered into by the sub-surveyors, so as to prevent unnecessary expense; he must examine all work performed, to see that it is corresponding with contracts, and generally keep a vigilant superintendence over the persons employed under him. Accounts of all expenses incurred should every second week be delivered by the sub-surveyors into his office in duplicate; after examination, one copy to remain in the office, the other, certified, to be sent to the treasurer, upon which payment may follow.

Much must depend on the selection of the officer to whom this charge is committed; he must have a considerable share of general information respecting country business; the subject of Road making ought to have been well considered by him; his station in society should be such, as to secure to him the support and confidence of the commissioners, while it commands the obedience and deference of the subordinate officers.

The success of the exertions of individual commissioners, in particular parts of the country, first suggested the opinion that a better system of Road making might be adopted, and the examples of a better practice extended to all parts of the country; but the benefit can never be rendered thus general, unless accompanied by the zeal and activity that produced it; and this can only be supplied by officers, whose sole duty it shall be, and who will be accountable to the commissioners under whose orders they act for the execution of the trust confided to them. Gratuitous services are ever temporary and local, they are dependent on the residence, and life of the party; and have always disappointed expectation. Skill and executive labor must be adequately paid for, if expected to be constantly and usefully exerted; and if so exerted, the price is no consideration when compared with the advantage to the public.

From the want of such an officer the orders of the commissioners, after having been maturely considered, and wisely given, have fallen from execution, into the hands of surveyors, selected not un-

frequently from the lowest class of community, who have proceeded without plan or method. The consequence is seen in every corner of the country; want of science in the surveyor has gone hand in hand with improvident expenditure, to the injury of the Roads, and the derangement of the finances. A vigilant and unremitting superintendence is wanting to ensure an economical and effectual execution.

Whether it may not be useful to empower commissioners in the small trusts into which the Roads of England are unfortunately divided, to unite together in sufficient number to enable them to provide a respectable and efficient executive officer, and for other general purposes of improvement, is humbly submitted to the wisdom of Parliament.

The effect of an active and efficient control over the sub-surveyors, in the executive part of their duties; and in rescuing the roads from misapplication and depredation, is exemplified in the measures wisely entered into by the commissioners for the care of the Turnpike Roads in the Bristol District, the success of which has amply justified their adoption, the Roads having been entirely reformed and put into the best possible state for use, at an expense considerably within the revenue of the trust. This improved state of the finances has enabled the commissioners to effect several great permanent improvements, without forgetting the necessary provision for liquidation of the debt, which had accumulated during former years.

PART THIRD.

Care of the Finances.

The funds placed by the Legislature at the disposal of the commissioners for the care of Turnpike Roads are very considerable, and might be supposed with proper management, fully equal to the object; they arise principally from toll duties, and a proportion of statute labor.

As long as it shall be necessary to raise large sums for the maintenance of Roads, the present means must continue: toll duties, although liable to many objections, are so immediately and effectually productive, that little hope can be entertained of the possibility of their being reduced, until the continuance of a better system shall have materially amended the Roads, and reduced the expense, so as to leave means for extinguishing the heavy debt owing by the country for this branch of the public service.

Statute labor, in kind, was decreed by Parliament at a time when no better means could be devised: when a circulating medium was deficient, and when a fair quantum of labor could not, in many parts of the country, be obtained for money.

Personal labor for a public service can never be made profitable, or fairly productive; at the same time, it is liable to the great objections of being made an instrument of partiality and oppression under the direction of a class of men with whom such a power should never be lodged, and over whom, in this instance, no adequate control can be placed.

The causes which operated to induce Parliament to resort to personal service, having ceased, it will be found expedient to commute statute labor for a moderate assessment in money. This has been effected with great advantage in Scotland, by most, if not all of the local and county Acts for Turnpike Roads.

The sum of money annually raised in the kingdom for Roads is very great, and would be found, if carefully examined into, much beyond the general belief. Government have procured information, as to the sum raised annually for parish Roads, (generally denominated Highways,) but they have not yet inquired into the amount of the much greater sum raised for the maintenance of the Turnpike Roads, nor into the amount of debt incurred for the same purpose.

These funds, considerable as they are, continue to be expended, nominally, under the direction of commissioners, but effectually and practically under the surveyors, over whom the commissioners have very uncertain means of useful control; and there is no doubt that much abuse exists in the expenditure, partly from ignorance, but much more from speculation and patronage very much misplaced.

Under such circumstances the protection of the funds would be promoted by the inspection and control of a superior officer; and finally it might be desirable, that a report from each trust should be made to Parliament of the receipt and expenditure for the year.

That the funds provided by Parliament for the Roads are either insufficient for the object, or that they are improvidently expended, is best proved by the numerous applications to Parliament in every session, for extension of powers, and increase of

tolls; setting forth that without such aid the debts cannot be paid, nor the Roads kept in repair. In the session of Parliament 1815, thirty four such petitions were presented; and in the session of 1816, thirty two; all which bills were passed as a matter of course; the petitioners being only required to prove the actual necessity to the committee, but no inquiry seems to have been made as to the cause of that necessity.

An efficient, uniform and constant control of the expenditure of Road funds, and an annual report of the result to Parliament would enable the House of Commons to form a judgment, whether the deficiency proceeded from inadequacy of the means, or from improvident expenditure; and thereby that Honorable House would be enabled to use means for preventing the growing amount of debt, which the petitions presented each session so evidently show to be increasing to an alarming degree; and which, being incurred under the authority of Parliament, must ultimately become a claim upon the justice of the country.

Upon consideration of this important subject it appears, that a review of the Turnpike laws has become indispensable, for the purpose of altering and amending obsolete, useless and oppressive regulations; and for substituting others more consonant with the present state of society. This review is required by experience of the inadequacy of the present system, to the great object of forming the best and easiest communications through every part of the country, with a due regard to economy; and for preventing the increase of a debt, which has been allowed, in silence, to accumulate to an extent that will hardly be credited when properly and accurately ascertained.

Many and important improvements have originated from the good sense and zeal of individual commissioners, or from particular district meetings, the good effects of which have been confined to the place of origin; such improvements have also ceased to operate, on the death or removal of their authors, and have been thereby finally lost, for want of a general superintendence, which would have an interest in the improvement of the whole.

The defective state of the Roads, independent of the unnecessary expense, is oppressive on agriculture, commerce, and manufactures, by the increase of the price of transport, by waste of the labor of cattle, and wear of carriages, as well as by causing much delay of time.

Under an efficient and responsible executive department, established and directed by the wisdom of Parliament, this subject would be brought within the means of examination and regulation; and many local improvements, which have been confined to small districts, would be brought forward, and communicated generally for the public benefit.

* The general laws relating to highways seem sufficiently calculated to answer the purpose intended by them, if overseers were qualified with a sufficient degree of judgment to execute them properly, and of industry and spirit to do it effectually.—[Homer's Inquiry, page 18.]

† It is impossible not to see that statute labor is a remnant of personal service; a gentleman might as well argue at the present day, that rents paid in kind are more easy and equitable than money rents, as to defend the custom of mending Highways by compulsory labor.—[Edgeworth's Essay on the construction of Roads and Carriages, p. 46.]

‡ Since this Essay was written, I have visited England, and have found, on a journey of many hundred miles, scarcely twenty miles of well made Road. In many parts of the country, and especially round London, the Roads are in a shameful condition. This must strike the public; and sooner or later the good sense of the English nation will feel the necessity of adopting some means of improvement.—[Edgeworth's Essay, Preface, p. 7.]

§ In Ireland, the Cross Roads are better than the great Roads, and comparing all the Roads in that country with the Roads in England, the shameful inferiority of the latter would evidently appear.—[Edgeworth's Essay, p. 46.]

[From the Saratoga Sentinel.]

The construction of a Rail-road from this place to Fort Edward, a charter for which has been granted by the Legislature, will prove of incalculable importance, not only to the watering places in this county, but to the Saratoga and Schenectady and Mohawk and Hudson Rail-road Companies. Fort Edward is the general landing place of passengers, proceeding from Lake Champlain and the Northern Canal to the South. The distance from Fort Edward to Albany, on the route usually travelled, is

48 miles; by the way of Saratoga Springs and Schenectady it is about 50 miles. The whole distance from Albany to Whitehall by the Hudson river road is 72 miles; by the way of Schenectady and Saratoga Springs, about 74 miles. When the road to the latter place shall have been completed, which will be effected in a few months, one half of that distance will be overcome by Rail-road. Continuing the road to Fort Edward, the whole route to Whitehall, except 24 miles, may be travelled by Rail-road, and the remainder by Canal. No one, acquainted with the subject, and with the immense intercourse between the North and South, can have any doubt that the travel on these roads will be very great.

From Saratoga Springs to Fort Edward, the distance will be from 13 to 15 miles, over a remarkably level country of sand planes, not requiring the aid of stationary power. The road, it is believed, can be made for eight or ten thousand dollars per mile, and the whole expense cannot exceed from \$150,000 to 175,000. Its construction would double the travel originally contemplated on the Saratoga and Schenectady Rail-road; and would add one third at least to that originally contemplated on the Mohawk and Hudson Road. As soon as a survey can be had, and the necessary estimates made, a detailed statement will be laid before the public.

SARATOGA AND SCHENECTADY RAIL-ROAD.—The grading of this Road, with the exception of two or three sections, is nearly completed, and companies are employed on different parts of the line in laying down the blocks and timbers preparatory to receiving the rails. We see nothing to change our opinion heretofore expressed, that the Road will be open for the reception of passengers early in July. We can also mention for the satisfaction of stockholders (the contracts having been mostly made), that the whole expense of this Road, including land, fencing, carriages, and fixtures, will not exceed \$250,000, and probably will amount to no more than \$230,000.

CLINTON AND VICKSBURG RAIL-WAY.—It will be discovered from a statement which appears below, that the Commissioners of the Clinton and Vicksburg Rail-way have held their first meeting, and adopted suitable arrangements for the execution of this interesting project of internal improvement. Being fully convinced of the practicability of the scheme, and that its success entirely depends upon the public spirit and energy of the community, we cherish the warmest anticipations of its speedy execution, and believe that the day is not far distant when the most important advantages will arise to the country in general from this Rail-way, and to our own in particular. [Mississippian, April 2.]

VICKSBURG AND CLINTON RAIL-ROAD.—At a meeting of the commissioners of the "Clinton and Vicksburg Rail-road Company," held at Hamburg on Saturday the 24th March, 1832, present B. W. Edwards, C. Mead, Walter W. New, Thomas Wooldridge, A. G. McNutt, William F. Markham, William Vick and William Pescod, Cowles Mead was unanimously called to the chair, and Thomas Wooldridge appointed secretary.

Mr. New offered the following resolution, viz.:

Resolved, That a committee of three be appointed to correspond with the President of the United States, requesting the services of an Engineer, for the purpose of examining the route of the contemplated Rail-road, making an estimate of the practicability, costs, &c. which was unanimously adopted.

Whereupon the following gentlemen were appointed said Committee, viz: W. W. New, A. G. McNutt, and B. W. Edwards.

Mr. Wooldridge offered the following resolution—

Resolved, That the committee appointed to correspond with the President of the United States be instructed to write to our Senators and Representatives in Congress, and request them to promote the application to the President for the appointment of an Engineer—which was unanimously adopted.

Mr. Edwards offered the following resolution—

Resolved, That Messrs. McNutt, Campbell, Markham, Vick, Pescod, and Wooldridge be appointed a committee to ascertain as near as practicable, the quantity of tonnage and number of passengers that would probably pass on the Rail-road to and from Vicksburg to Clinton, annually, which was adopted.

On motion—

Resolved, That the Chairman be authorized to call a meeting of the Commissioners at such time and place as he may deem expedient.

Resolved, That the proceedings of this meeting be signed by the President and Secretary, and that the proprietors of the newspapers published in Vicks-

burg, and Clinton be requested to publish them.—The meeting then adjourned.

COWLES MEAD, Ch'n.

Thomas Wooldridge, Sec'y.

[From the Wayne Inquirer.]

DELAWARE AND HUDSON CANAL.—It gives us much gratification to notice that on the 2d inst. the company commenced business for the season on the Rail-road. Notwithstanding the immense body of snow that fell during the winter, and the apprehensions that were entertained of a heavy spring freshet, the gradual melting of the snow proved so favorable that very trifling damage was sustained at the Mingo or on the Rail-road. Indeed it has seemed almost providential; for had the ice been suddenly broken up, and the snow been dissolved by a continued warm rain, the damage to the country must have been appalling. The road is now in capital order; the cars are daily descending and returning, and there is every fair and reasonable prospect of an increased business being done during the season.—we have authentic information that if the weather should continue favorable, the Canal will be opened in good order to resume business by the 1st of May next. We wish the enterprising company success, and hope they may reap the solid harvest they merit.

Office of the Delaware and Hudson Canal Co. }
HONESDALE, April 7, 1832. }

Received at Honesdale from Carbondale, during one week ending this day, 659 Rail-road wagons, containing 1647 tons Coal. Also, received during the week, 12 wagons containing Lumber.

April 13.—Received at Honesdale from Carbondale during one week ending this day, 776 Rail-road wagons, containing 1940 tons coal. Also, received during the week, 18 wagons containing Lumber. Total amount of Coal received since 21 inst. 3587 1/2 tons; total amount of Lumber received since 2d inst. 60 000 feet. J. B. WALTON, Collector.

NEW-YORK AMERICAN.

APRIL 21, 23, 24, 25, 26, 27—1832.

LITERARY NOTICES.

LIVES AND VOYAGES OF THE EARLY NAVIGATORS, WITH A HISTORY OF THE BUCCANERS, 1 vol.; Harper's Family Library, No. XXX.—The adventurous spirit, and hardy endurance, by which they who have distinguished themselves in maritime discovery have generally been characterized, have always given a peculiar charm to its history for the ardent mind of youth. The details of peril and enjoyment in wild and beautiful lands, of difficulties overcome by daring, and dangers avoided by strategy, possess a keener relish for us in early life than any other kind of reading. We dwell with interest upon each vicissitude in the life of the roving navigator; we even sympathize with him in his baffled designs upon some unoffending people; and rejoice in his successes over the unfortunates whom his own misconduct may have converted into enemies: and so long as he can minister to our appetite for the marvellous, we could roam with him forever over regions where a thousand wild adventures seem only to task the moral and physical powers of the mariner to rival in real actions the fictitious deeds of romance. But the taste for this kind of reading, is soon superseded by that for works of another description, and poetry and novel reading, come with their meretricious blandishments to steal the young book-worm from the simple authors who were his first love. His taste, so far as an appreciation of real heroism is concerned, becomes then perverted. The seats of glory upon which he learns to dwell with admiration, are those only which are performed upon more brilliant fields of action, where the acclaim of courts and camps or the awards of fair hands and bright eyes await the successful aspirant for renown.

The enterprize and valor that is squandered in some remote corner of the globe, wants that value in his eyes which the civilized world stamps upon the actions of those restless spirits which, pent up within its confines, cause so much mischief to society. The avocations of the solitary voyager are like the scenes of a play to which there are no spectators, and his humble story seems like a novel without a heroine in it to the factitious worshiper of the

Rosa Matildas and Frederick Augustuses of elegant romance. The maritime narrator, however, in the end, is even with the novelist; for if the writings of either be allowed to exercise much effect upon the character, we doubt not that many a high spirited boy has had his mind so strung with manly sentiment by dwelling upon the hardihood and courageous resources of the early navigators, that it has occasionally influenced if not determined his course in after life. The lessons of human patience, ingenuity and presence of mind, he learns in the romances of real life, strike deep into the heart, and may be afterwards applied; but the sentimentalism that is engendered by the perusal of works of fiction, however completely it takes possession of the mind in the first instance, and however it mellows and beautifies the rude landscape of the world with the warm mist it flings around it, passes as rapidly away as those delicious skies on the last days of autumn, which usher in the dreary clouds and bleak winds of December. The pictures painted upon the imagination are laid in fair but fading colors—those graven upon the understanding or the heart endure till the tablets which receive them perish or consume away.

The principal memoirs in this volume are those of Sir Francis Drake, Cavendish, and Dampier, though it also embraces notices of the lives and voyages of other distinguished navigators. Of the three former, many personal anecdotes are here related, which are but little known, and in connexion with the life of Dampier, a highly instructive and entertaining account of the Buccaneers is given. Many interesting particulars will be new to the generality of readers. Legends of those daring rovers who infested the Caribbean Sea in the days of the English James's and Charles's, are sufficiently familiar to our ears from early childhood; but their real adventures, considering the influence which they exercised upon the early settlement of the New World, have not been treated with sufficient minuteness by the historian. When we think of these freebooters having fleets of ships manned with three or four thousand men at a time, and undertaking expeditions in the Spanish territories against cities with ten times that number of inhabitants, we can estimate the space which their exploits filled in the world's eye. And when we read again of a handful of pirates armed only with sabres and pistols, vanquishing two hundred cavalry, and two regiments of infantry, in the open field, we are enabled to form some idea of the wonderful energies which their desperate mode of life called forth. Romance has trodden much upon truth in painting the characters of these freebooters, as worthy of the days of chivalry; in representing their feats of arms, however, she has done no more than copy reality with faithfulness. The material of that singular association, who called themselves "Gentlemen rovers," and "Brothers of the coast," but better known as the "Buccaniers of America," was chiefly drawn from the cattle-hunters of the West India islands, though generally their crews were officered by hundreds of broken down gentlemen, gamblers, and disbanded officers, and other men of desperate fortune, from every part of England and France. The precarious and hardy life of the first class had, by inuring them to exposure and toil of all kinds, fitted them for the physical labors of the life of a rover, while the reckless courses to which the latter were habituated, were a good preparatory school for the desperate measures they were compelled to adopt to retain their influence over their companions. It is not surprising, therefore, that the character of the Buccaneer, instead of being such as the poet loves to draw, and the maiden to dwell upon, was actually profligate, cruel, and debased, with but the single virtue of courage—if that may be called a virtue, the use of which any German prince may buy or sell for twenty cents a day—to snatch from con-

tempt their lives of low debauchery and flagitious crime.

Our extracts from this volume are necessarily short as we have only room for a brief notice of one of the most distinguished Buccaneers and an anecdote which illustrates the daring strategy, for which the order was remarkable.

Montbar was a gentleman of Languedoc, who, from reading in his youth of the horrible cruelties practiced by the Spaniards upon the Mexicans and Caribs, imbibed a hatred of the whole Spanish nation, which possessed him like a phrensy. It is however somewhat strange that the impulse which led this singular person to join the ranks of the Buccaneers urged him to the commission of worse cruelties than those which he reprobated. His comrades were often merciless from the lust of gold; but Spanish blood was the sole passion of Montbar. It is related by Raynal, that while at college, in acting the part of a Frenchman who quarrels with a Spaniard, he assaulted the youth who personated an individual of that hated nation with such fury that he had wellnigh strangled him. His imagination was perpetually haunted by the shapes of multitudes of persons butchered by monsters from Spain, who called upon him to revenge them. While on his passage outward to league himself with the brethren of the coast, the inveterate enemies of Spain, the vessel in which he sailed fell in with a Spanish ship, and captured it. No sooner had the Frenchmen boarded the vessel, than Montbar, with his sabre drawn, twice rushed along the deck, cutting his frantic way through the ranks of Spaniards, whom he swept down. While his comrades divided the booty acquired by his prowess, Montbar gloated over the mangled limbs of the detested people against whom he had avowed everlasting and deadly hate. From this and similar actions he acquired the name of the *Exterminator*.

From the Cape de Verd Isles the *Revenge* intended to keep a direct course to the Straits of Magellan; but by adverse weather was compelled to steer for the Guinea coast, which was made in November, near Sierra Leone. They anchored in the mouth of the river Sherborough, near a large Danish ship, which they afterward took by stratagem. While in sight of the Dane, which felt no alarm at the appearance of a ship of the size of the *Revenge*, most of the Buccaneer crew remained under deck, no more of the hands appearing above than were necessary to manage the sails. Their bold design was to board the ship without discovering any sign of their intention; and the *Revenge* advanced closely, still wearing the resemblance of a weakly manned merchant vessel. When quite close, Capt. Cook in a loud voice commanded the helm to be put one way; while by previous orders and a preconcerted plan the steersman shifted into a quite opposite direction; and the *Revenge*, as if by accident, suddenly fell on board the Dane, which by this dexterous manœuvre was captured with only the loss of five men, though a ship of double their whole force. She carried thirty six guns and was equipped and victualled for a long voyage.

This fine vessel was, by the exulting Buccaneers, named the *Bachelor's Delight*; and they immediately burnt the *Revenge* that she "might tell no tales, sent the prisoners on shore, and steered for Magellan's Straits.

THE NORTH AMERICAN REVIEW, No. LXXV.—This number has been lying on our table for some time; but though we intended a week since to have noticed its contents, yet, as the pressure of more important matter compels us to make the Weekly Review much shorter than usual to-day, we can give but a word in passing to it now. The only articles that we have read are, "Authorship of Junius,"—the writer of which leaves the question where he found it,—"Bryant's Poems," a well written article by a competent hand, which does justice to the great powers of that finished poet, without injudiciously ranking him with loftier bards; a charming paper upon "Audubon's Biography of Birds," and an eloquent essay upon "Indian Biography." The remaining articles we may take another opportunity to notice; but we cannot resist the occasion to call attention here to some passages of the one last mentioned. Tecumseh and his brother, "the Prophet," are the chief subjects of it; and the writer deserves well from every

friend of truth for rescuing so triumphantly, as he does, the noble character of the first from the obloquy that has been heaped upon it by those who contemned him for his wild attempt to create an Indian league for the overthrow of the Union.—The whole character of this man is worthy the best days of Roman patriotism, integrity, and honest pride of country. He was valiant, disinterested, generous, and true to his word; and with intelligence far beyond that of those with whom his lot was cast, he was equally removed from them in a freedom from their prevailing vices. In the language of the Reviewer he seems a feudal Baron among hoors. Even in his intercourse with his British allies, in whose army he held from the King of England the commission of a Brigadier General, he was too proud for a subordinate part. His confederates might do as they chose, but for himself, he would maintain the dignity of a free and brave man, and a warrior. He abandoned his plan of visiting the President, because he could not be received as the head of the deputation. It is said, that, in the last conference at Vincennes, he found himself at the end of a long and animated speech, unprovided with a seat. Observing the neglect, Governor Harrison directed a chair to be placed for him, and requested him to accept it. "Your Father," said the interpreter, "requests you to take a chair." "My Father?" replied the chief, "the Sun is my father, and the Earth is my mother; I will repose upon her bosom." And he adjusted himself on the ground in the Indian manner.

A qualified remark has been made upon his courage—but the manner in which he conducted himself during the war, is sufficient to establish the point beyond controversy. The same may be said of the fearlessness shown in his visits to Vincennes; and especially, in his exposure of himself on that occasion, though he must have perceived that he was feared, suspected, and even guarded by large bodies of troops, drawn out for that express purpose. It is very illustrative of the apparent diversity in the character of Elskwatowa and his own in this respect, that when the Delawares sent a deputation of chiefs to break up the Prophet's settlement at Tippecanoe, the latter would not deign, as Mr. Dawson expresses it, to give them an interview, but despatched his brother to them, "whose threats or persuasions were sufficient to drive back the chiefs, with strong indications of apprehension and terror. When General Proctor began to prepare for retreating from Malden, Tecumseh, having learned his intention, demanded an interview, and, in the name of all the Indians, delivered an animated speech. If the spirit which it manifested could have had its intended effect in inducing the General to fight before he retreated, the result must at least have been more glorious, if not more favorable to his cause.

"Father!" he began, "Listen to your children!—You have them now all before you." The war before this, our British Father gave the hatchet to his red children, when our old chiefs were alive. They are now dead. In that war our father was thrown on his back by the Americans, and our father took them by the hand without our knowledge. We are afraid he will do so again this time.

"Listen! When war (the last war) was declared, our Father stood up and gave us the Tomahawk, and told us that he was then ready to strike the Americans, that he wanted our assistance, that he would certainly get us our land back, which the Americans had taken from us.

"Listen! When we were last at the rapids, it is true we gave you little assistance—it is hard to fight people who live like ground-hogs. (Alluding to the American fortifications.)

"Father, listen! Our fleet has gone out. We know they have fought. We have heard the great guns;—(Perry's victory,)—but we know not what has become of our father with one arm, (Commodore Barclay.) Our ships have gone one way, and we are astonished to see our father tying up every thing and preparing to run away the other, without letting his red children know of his intentions. You always told us you would never draw your foot off British ground. But now, father, we see you are drawing back, and we are sorry to see our father doing so without seeing the enemy. We must compare our father's conduct to that of a fat dog, that carries its tail upon its back; but when frightened drops it between its legs and runs off.

"Father, listen! The Americans have not yet beaten us by land, we are not sure that they have by

water; we wish, therefore, to remain here and fight. If they defeat us, we will then retreat with our father.

"Father! You have got the arms and ammunition which our great father sent for his red children. If you have an idea of going away, give them to us, and you may go and welcome for us. Our lives are in the hands of the Great Spirit,—we are determined to defend our lands, and if it be his will, we wish to leave our bones upon them."

This celebrated speech is probably as good a specimen as any on record, of the eloquence of Tecumseh. It was a natural eloquence, characteristic, as all natural eloquence must be, of the qualities of the man. As Charlevoix says of the Canadian savages, it was "such as the Greeks admired in the barbarians," strong, sententious, pointed, perfectly undigested. It abounded with figures and with graphic touches, imprinted by a single effort of memory or imagination, but answering all the purposes of detailed description, without its tediousness or weakness. The President was "drinking his wine in his town," while Tecumseh and Harrison were fighting it out over the mountains. The Indians were hallooed upon the Americans, like a pack of starved hounds. The British nation was our great Father, and our great Father was laid flat on his back. So the policy of the United States, in extending their settlements, was a mighty water, and the scheme of common property in the tribes, was a dam to resist it. Tecumseh belonged to a nation noted, as Hewelster describes them, "for much talk;" and he was himself never at a loss for words. He was a countryman of Logan, too, and he reasoned and felt like him. His whole time and talents were devoted to the cause of Indian independence, and when he spoke upon this theme, as he generally did in public, his fine countenance lighted up, his firm and erect frame swelled with a deep emotion, which scarcely his own stern dignity could suppress; every posture and gesture had its meaning; and language flowed burning and swift from the passion-fountain of the soul.

This cutting speech is highly characteristic of the man, and shows better than the words of a biographer, the acuteness of his mind in the first part, and his elevation of soul in the last. It is one of those efforts of uneducated genius which "will live on the pages of civilized history long after barbarous tradition has forgotten them." Tecumseh, to conclude with the closing observations of the Review, "will be named with Philip and Pontiac, the 'agitators' of the two centuries which preceded his own.—The schemes of these men were,—fortunately for the interest which they lived and labored to resist,—alike unsuccessful in their issue; but none the less credit should, for that reason, be allowed to their motives or their efforts. They were still statesmen, though the communities over which their influence was exerted, were composed of red men instead of white. They were still patriots, though they fought only for wild lands and for wild liberty. Indeed, it is these very circumstances that make these very efforts,—and especially the extraordinary degree of success which attended them,—the more honorable and the more signal; while they clearly show the necessity of their ultimate failure, which existed in the nature of things. They are the best proofs, at once, of genius and of principle."

BRIDGMAN'S GARDENER'S ASSISTANT, is the title of a work for the use of young florists and those engaged in horticulture. It contains a catalogue of garden and flower seeds, with the practical directions for the cultivation of culinary vegetables, the production of fruit trees, training of grape vines, &c. &c. The volume, which is printed by Geo. Robertson, may be had at Thorburn's Bridgman's, and the other florists in town.

DOMESTIC MANNERS OF THE AMERICANS.—The last London Quarterly contains a paper under this title, much in the style of the delectable articles upon this country, for which that liberal and unprejudiced journal has always been so remarkable. It is a review of a piece of book making by a woman possessed of some cleverness, who rejoices in the name of Mrs. Trollop. The work, which is not badly written, is, withal, a complete Grub-street, catch penny concern, got up with caricatures, and prepared for the press by a regular manufacturer of travels, who

had previously given specimens of her art by books upon Portugal, and other countries. The notice of her work in the Quarterly bears indubitable marks of being from the pen of that sagacious commentator upon men and manners, Captain Basil Hall. It proves beyond a question, that we Americans are a miserable, degenerate set of human beings; and demonstrates most conclusively, not only that privileged ranks, and an established Church have placed England upon an eminence of national glory and happiness that we poor republican sinners may in vain hope to attain,—but that her national debt is a fund of blessings to her, with which all the resources of our Union cannot compare. It informs us also that the states of New-Jersey and Pennsylvania, though not subjected periodically to the devastations of the yellow fever, are still so regularly visited by it every summer, that the whole population who can raise the means of locomotion, move off to Canada once a year. And of many other similar facts does it inform us, which, as it behoves editors to know everything, we are right glad to learn; especially as though those things are transpiring under our very noses, from some obliquity of vision or obtusity of perception, they do somehow escape our notice.

We have said that there was some cleverness in the extracts from Mrs. Trollop's book; and it might be added that, with occasional misrepresentation, there is too much truth in many of her remarks; such for instance as those upon the use of tobacco in ladies' society; and the habit of lounging, swearing and spitting in their presence, when thrown into their company at inns, or in travelling; all of which abominations must frequently have annoyed every one who has journeyed a hundred miles in public conveyances, with ladies under his care. For the Reviewer's acuteness, however, we cannot say much; his feeble pen is but a slender substitute for the canonic quill of Gifford; if not a complete imbecile, there is still so much absurdity in his article as to make it very diverting. Not the least striking instance of this, is his quoting contemptuously at the end of his remarks, a noble sentence from an oration of Mr. Rush's; which sentence is, in fact, one of the most well placed and cutting comments upon the previous part of his article that could well be imagined. The amount of Mr. Rush's observations is merely the pointing out those characteristics of the cockney traveler and the tory Reviewer, which make the two animals the scorn and the jest of both Europe and America. The mean and narrow-minded spirit that can comprehend nothing but what it has been imbued with while within the sound of "Bow bells," the insufferable arrogance and self-conceit that renders its possessors so offensive in every country they infest, and the preposterous mode of measuring everything by their own standard at home, sneering at private and public virtue, if it be not moulded to their own pattern and damning religion itself, unless it be made to order in an English manufactory. We give our own phraseology, as we cannot remember the eloquent language of Mr. Rush. But what a pithy illustration we have of the purport of his remarks in the very article where they are copied to show their want of applicability. We have it in our heart to say some exceedingly sharp things in the way of reprisal; but refrain from so doing, not, as the reader thinks, because it is ridiculous to indulge in a philippic against those, whose eyes will never look upon our recorded indignation, but because we know perfectly well that the periodical where this Review appears is the organ of sentiment of but a small fraction of the British people. This, however, many who will here read it, disseminated in the newspapers throughout the Union, are not aware of; and the miscreant who thus attempts to light again the torch of ill-will between two nations, who are just beginning to culti-

vate a good understanding with each other, may enjoy the vile satisfaction of knowing his wicked attempt will not completely fail. How wayward seems the destiny of nations, when the stupid malice of a single individual may, in tampering with their prejudices, blunder upon some method of shaping it as he lists! It is now well understood, that an article in the London Quarterly precipitated, if it did not cause, the late revolution in France; and should we ever again take the field against our old foe, it will be rather from animosity engendered by upprincipled scribblers, than from any real collision of national interests.

THE U. S. FRIGATE UNITED STATES is now preparing for sea in this harbor. She is to bear the flag of Com. Patterson, who goes out in her to relieve Com. Hiddle, as Commander of the Mediterranean Squadron, and will sail it is supposed in June. The following is a list of officers ordered to join her:—

JOHN B. NICHOLSON Capt. and flag officer of the Mediterranean Squadron.

Lieuts.—William E. McKenny, John L. Saunders, John S. Chauncey, Edmund Byrne, W. I. Auchmutz.

Surgeon—Baily Washington.

Assistant Surgeons—R. K. H. Sims, Robert M. Balzer.

Purser—John N. Tedd.

Passed Midshipmen—George M. Bache, Acting Master; James F. Schenck, Robert Fitzhugh, Simon B. Blisset.

Midshipmen—Nathaniel G. Bay, John C. Graham, Clarence Watkins, John J. Thurston, Francis E. Barry, Franklin Clinton, William S. Ringgold, Allen McLane, James H. North, Robert P. Ingram, Charles J. Auzie, Joseph H. Adams, William B. Renshaw, William Craney, James C. Williamson, George Colvocoresses.

FOREIGN INTELLIGENCE.

THE FOREIGN NEWS.—Our Paris files, by the *Formosa*, are to the 14th March, inclusive—the dates from London, by the *Hudson*, of 20th. We have given the chief items of intelligence by these ships. We now give a translation of the main parts of the speech of M. Casimir Perrier, which, it seems, gave umbrage to the Duke of Wellington, and even to the Ministry in England. The French Premier's speech is a very able one. It was made on occasion of presenting the budget for foreign affairs, and is an exposition of the whole course of the Perrier ministry, as regards their intercourse with foreign nations. We have selected the material parts of the speech; among which will be found the views taken of the affairs of Belgium—the motives of the French expedition to Ancona—a notice of the treaty with this country—and of the arrangement by which Prince Otto ascends the throne of Greece. The general defence by the Premier of the system of his administration, seems to us very happy and able, and his conclusion we willingly adopt, that *peace will not be interrupted*.

CHAMBER OF DEPUTIES.—7th March.

The discussion being on the budget for the expenses of foreign intercourse, in the debate on which, the foreign policy of Ministers had been much arraigned, particularly by *Gen. Lamarque*, the President of the Council, M. Casimir Perrier, after replying in general terms to some of the objections made to his course, thus proceeded:

In speaking to you of the affairs of Belgium, I must go back to the commencement of the negotiation. The discussions which had been exhausted in regard of these matters were resumed and concluded by the Treaty of the Twenty-four Articles. The King of Holland thereupon remonstrated with the Conference at London, and to the Cabinet of St. Petersburg. This Cabinet has addressed itself to other Powers; and hence the delay of ratification. The Ambassadors of Russia, Austria and Prussia have asked more time from the Conference, in order that they may receive fresh instructions; but it is only a question of time. The Powers, in replacing

Belgium and Holland within their ancient natural limits, have sought to conciliate the pretensions of the two Kingdoms, which henceforth will be liberated from all dependence on each other, and will preserve a state of neutrality exacted of them in consideration of the protection guaranteed to them by the Five Powers.

As to our own affairs, our reports from all Foreign Powers furnish the most formal assurance of their intention to maintain the general peace. It will be one of the triumphs of the Revolution of July to have insured this result. The Minister then expatiated upon all the advantages resulting from an alliance between France and England. With this alliance war is impossible.

As to Poland, the recollection of her misfortunes awakens the most afflicting impressions. At the very opening of the session, on occasion of the address to the King, a discussion was commenced as to the fate of this unhappy nation. More recently another debate occurred, in which Government proved to the country that everything that could be done had been done for the Poles. It never intermitted its most urgent solicitations in their behalf. One only question regarding them yet remains,—that of the preservation of their nationality; and France will no more abandon them on that point than she has done on others since the commencement of their struggle. We shall not cease to testify the strongest interest in their behalf.

I now approach the affairs of Italy: [a general and lively movement of curiosity] and here, Gentlemen, the face of affairs has changed since last year. The Chamber will remember that when we came to our present stations, the Austrian troops had occupied the Legations in consequence of the troubles which had broken out there, and in the Duchies of Parma and Modena. These disturbances menaced the state of general peace: we hastened to ask from the Chambers such resources as circumstances might render necessary, to uphold, in that region, the policy of France. [Hear, hear.] This policy, gentlemen, is well known to you: it results from the nature of things—as a continental power—as a power called to protect catholic interests, France is bound at once to maintain the integrity of the territory of the Holy See, which constitutes, in the centre of Italy, an intermediary independent power, guaranteeing that of its neighboring states; and the temporal authority of the Pope, which is essential to the influence and the free exercise of his spiritual authority. This, to be sure, is also the policy of the other powers of Europe, which, bound by the same principles and the same treaties as France, have an equal interest in not seeing the equilibrium upon which their actual relations are founded deranged. France, in invoking those principles, was sure of making herself heard. The evacuation of the Austrian troops was effected before the session of 1831, and this was one of the results announced to you in the speech from the throne. But France has other duties to fulfil. She knows that the re-establishment of mere physical order is not sufficient to insure the permanent tranquillity of peoples, if not accompanied by a satisfactory arrangement of the legitimate wants and wishes which are peaceably addressed to the chiefs of the State. Hence for the interest of the Pontifical government itself—exposed to sharp attacks—as well as for those of the general welfare and equilibrium which it was its object to maintain, the government employed all means of persuasion with the Holy See to obtain from it, some ameliorations in favor of the towns replaced under its authority, and thus to obviate by modifications wisely adapted to the wants of the people, those disorders which it was so desirable to prevent at home, as well as their suppression by foreign intervention. Hence, gentlemen, the acts which, created last year in favor of the Legations, those franchises, which very certainly their struggle by violence against the government would not have so surely procured them. But whether these people did not sufficiently appreciate the good results they might justly anticipate from these institutions; or, that the delay in their establishment furnished a pretext for injurious suspicions, the advantages hoped for were not obtained: on the contrary, a fresh excitement broke out in the Legations, and the same acts having produced the same consequences, the Austrian troops entered a second time the territory of the Roman States.—(Universal movement of interest.) Nevertheless amicable representations, and earnest instances addressed to the Pontifical Government preceded and were intended to obviate these extreme measures. The French Government, seconded by the representatives of other Courts near the Holy See, solicited the fulfilment of the promises made,

and the actual exercise of the institutions decreed. On the other hand assurances were made to the people, which, in setting before them the inevitable consequences of new disturbances, gave them no hope of satisfactory results except through the means of conciliation resorted to in their behalf. Unhappily the voice of reason was not listened to.

Faithful to the policy thus described, the government, in its own interest as well as in that of the Holy See, and always in that of peace—of which the maintenance requires that causes of collision or distrust should be religiously removed—and observing the fundamental purpose to found the security of the Holy See upon means more stable than periodical repression; the government felt it a duty to adopt a course, which, far from being an obstacle to the resolving the difficulties to be encountered, seemed to it best calculated to render such solution more prompt. With this end it was, that our troops landed at Ancona on the 23d of February. (Marked curiosities in the chamber and the galleries.) Here, gentlemen, in order to satisfy the just impatience of the Chamber, it would be necessary to enter into explanations; for which, nevertheless, it must feel that he time has not yet come, and its wisdom will therefore appreciate our reserve. (Many voices—Always these hesitations and delays.)

We have unfolded the principles which have caused us to act: it is for you to say what shall be the rule of our actions. This is not yet a matter accomplished and therefore open to unlimited investigation; but we hasten to declare that there is nothing in this step, deliberately adopted, and of which all the consequences have been weighed, which should give to the friends of peace the slightest uneasiness as to the maintenance of harmony between the Powers, which in this, as in all other questions, are co-operating for a common object: I need hardly add, gentlemen, that the national dignity will only find cause of gratulation in the part which France has reserved for herself in this work of pacification, and especially of reconciliation. Like our expedition to Belgium, our expedition to Ancona, undertaken for the general interests of peace, as well as for the political interest of France, has for its object to give renewed activity to negotiations in which all the powers concur, to ensure at once the security of the Pontifical government, and the tranquility of its States, by lasting and efficacious means. Thus, then, gentlemen, the presence of our soldiers in Italy will have the effect, we cannot doubt, of contributing to guaranty from all collision that part of Europe, by confirming the Holy See, procuring to the Italian population real and certain advantages, and by putting an end to periodical interventions, onerous to the powers which make them, and which might become a source of constant uneasiness for the repose of Europe.

The Minister then referring to other topics alluded to in the Royal speech at the opening of the Session, thus speaks of the treaty with the United States:—

It was on the 4th July last that was signed, between France and the United States, a treaty, of which the object was to terminate discussions which for more than twenty years had existed between the two countries. The ratification of this treaty, which was expected to be made at Washington last month, not having yet reached the King's government—and at any rate, the first partial payment to result from its terms not being due till a year after the exchange of ratifications, it can only be at the next session that the ratified treaty can be submitted to you,—[a voice, this is a long delay]—and that a credit will be asked from you. A discussion therefore of this subject at present would be the more premature that it would at any rate have to be renewed next session. It may suffice now to say to the Chamber that all the precautions suggested by prudence and equity were observed in this lengthened negotiation, terminated at last by an arrangement which, in establishing the claims of French subjects upon the United States, has reduced the demand of the latter to one third of the sum originally claimed.

Passing then to the condition of Greece, the Minister said:

I am happy in being able to announce to you that the questions relative to Greece are at the point of their solution. [Curiosity much excited.] The Plenipotentiaries of the three Powers united by the treaty of 6th July, 1827, and invested by the Greeks themselves with the right of giving them a Sovereign have chosen Prince Otho of Bavaria. [Hear, hear.] The King, his father, has accepted for this young Prince the Sovereignty offered to him, under reservations which it will be easy to satisfy. The nominations of Prince Otho, which in a European point

of view can give umbrage to no European combination, no susceptibility—will moreover be national in Greece, where numerous voices already solicited him, and where the kindnesses of King Louis had ensured in advance the popular favor to a Prince of the house of Wittelsbach. In this respect the foresight of France has been justified, for she long since indicated the selection which has finally conciliated all opinions. I should add that a negotiation is now going on at Constantinople to secure to Greece a better frontier, without in reality injuring the well understood interests of the Ottoman government.—The Chamber, in its sympathies for a generous nation, cannot learn without interest, that it is near the term of the sufferings which were continued in its bosom by the anarchy, which this decision will terminate.

The Minister having thus finished his exposé of the foreign relations of France, went on to insist that the nation could not annul the treaties which were in force at the revolution of July, without provoking immediate war—that treaties are only to be torn by the sword—and that to require, therefore, the annulling of these treaties, was to ask for war; and yet he said, "I must repeat it to the Chamber—for five months after the revolution of July, not one voice was for war;—does the country call for it now? Less than ever. He then continued:

There were, however, other objections which may be easily reduced to three heads. It has been said more than once, that Europe, taking advantage of our condescension and respect for treaties, deceives us by false assurances, in order to gain time for war-like preparations. Again, it was represented that our revolution being a subject of perpetual uneasiness to foreign governments, we were exposed to a reaction on their part as in 1792; and finally, it has been insinuated, that prudence called upon us to forestal war by war, and to call things plainly by their names—to anticipate counter-revolution by propagandism.—(Hear, hear.) It is easy to answer these objections.

In the first place, if Europe, in considering like ourselves the existing Treaties as the basis of its relations with our new Monarchy, which it had thus recently and openly recognized, has no other object than that of deceiving us by false appearances, and to secure for itself time to prepare for attack, it must be admitted that this policy was not very able; for it left us also time to make our preparations, while Europe, by its authentic acts of recognition, deprived itself of the pretext of legally making war upon a Government acknowledged by it, and moreover lost the benefits that might result from a sudden attack upon us in the midst of the general disbanding after the Revolution of July. This reply is the more decisive, because, as you know, since the derangement of the corps which composed the French Army in 1830, the Government has made every effort to multiply our military resources, so as to place France on a formidable footing for attack, if necessary, and at any rate for defence.

But, we are asked, do you not know that our revolution was a perpetual source of uneasiness to the Cabinets of Europe, and that another Pillnitz was in secret maturing its combinations as in 1792?

No, gentlemen, on the contrary we know that the nations welcomed the first days of our revolution with a degree of admiration, which even the governments hardly refrained from. We know that the prompt establishment of a national throne, founded upon a charter at once monarchical and liberal, had inspired foreign Sovereigns with confidence both in the royalty thus created, and in the person of the King. We know that this respect and confidence had not at any time received a check, except from attempts within our own borders, to trouble the public tranquillity; or from the openly expressed wishes for war, which were sometimes heard from a party, not to be sure very numerous. It is thus, we must boldly say it, that the occurrences and discussions at home reacted abroad, and that negotiations were more or less retarded, by circumstances which seemed to impress, in a greater or less degree, the stamp of dignity and good faith upon our revolution. Let us not complain, of this gentlemen, for it proves that Europe has a profound conviction of the power of France, and of the wisdom of her government—it proves that she would only be demeaned feeble when under the government of a party. (Very well.) Far then from its being true, that it would have been wise, as has been said, to forestal war by war, and to oppose

in advance propagandism to counter-revolution, the tenor of negotiations and events has proved, that all the distrust excited, if not by our revolution, at least by the abuse of it which in certain quarters was aimed at, has disappeared since the government clearly laid down its principles in politics; and especially since it resisted and routed all those ideas of propagandism which have disappeared for ever from this place. These ideas, moreover, are so confused, even in the minds to which they are most familiar, that we see their most ardent advocates in a state of constant contradiction, sufficiently indicative of the error of their views. At one time we ought, it was contended, to pour out upon defenceless Europe our armies, which in three months would have avenged the disasters of two invasions, and founded everywhere free governments; at another, Europe, on the contrary it was said, was on the eve of precipitating herself upon France in a state of helplessness, and imposing upon her a third restoration. That is to say, that this nation is represented by turns, as the passions are to be irritated or patriotism is to be aroused, as so strong or so feeble as to dictate or receive the law. No, gentlemen; what alone is true, is, that France is strong enough never to submit to foreign dictation, and wise enough not to pretend to dictate to others; beyond what belongs to her own interest. The France of July has nothing to avenge and nothing to fear. The propagandism which she is to exercise, is that of the fortunate results of her revolution: the empire she is ambitious of, is that of justice. Her ascendancy is entirely a moral one, and in that respect it is that the revolution of 1830 is distinguished from all others; and that instead of a bloody copy of the epochs of terror and conquest presented for our imitation, (agitation in the further parts of the house) it will become a noble model, (approbation in great part of the assembly,) the model of a work so long aimed at by enlightened minds and generous hearts—the work of perfecting civilization by the development of liberty. (Bravos.)

The Minister after expatiating upon these topics, exclaimed:

No, gentlemen, we are not revolutionary missionaries, we know to what brink the country was led by the despotism of glory, and that suffices to shew us where we should be carried by that of Liberty, which we are required to exercise over nations. But—let it not be misunderstood—in declaring war against the existence of governments we should also be declaring it against the existence of the peoples—and in spite of so many theories—liberty having recourse to the same arms that were 20 years ago employed by despotism, would find governments and peoples united to repel in 1830 as in 1813—propagandism, alike with conquest.—[Agitation.] Be convinced, gentlemen, as with a proper conviction of our national strength you should be, that this is not the language of feeble policy, seeking to veil under noble pretexts timid condescensions. This is not the language of a Holy Alliance, but of Civilization.

After replying successfully to implied censures that French Ambassadors should have taken part in the Conference of London, and other Conferences for the settling of the general peace, and especially after eulogizing "the loyalty, the ability, and the devotedness to the interests of his country," of the French Ambassador (Talleyrand) at the London Conference—M. Casimir Perrier thus wound up his truly able speech:

Believe then, gentlemen, in peace: believe in it, as you do in the glory of France—as you do in justice. Our right makes our confidence; as it would have constituted our strength if need had been but we shall not have to uphold it by arms; and if prudence has not permitted us to disarm before the conclusion of the European difficulties, we have the firmest conviction that the moment of doing so is not very distant. Our security is founded in a great degree upon the support you have given to the course of the Government. To you chiefly belongs the glory of this peace; to you, in this long and memorable session, is to be ascribed the honor, at home, of having assured the triumph of the Revolution of July, without reaction or measures of exception—abroad, without war and without sacrifices. Your duties were great, Gentlemen, and you have fulfilled them.

(Great and long agitation followed this speech, which lasted more than two hours; and the Minister was warmly congratulated as he left the tribune. The sittings were suspended for a quarter of an hour.)

LATER FROM ENGLAND.—By the *Hibernia*, Liver.

Pool packet, we have our London files to the evening of 26 ult. inclusive, with Paris dates to the 24th.

The news is important, first, as announcing the settlement of the Belgian question by the assent of Austria, Russia and Prussia to the treaty, and the passing of the Reform Bill, by the House of Commons, on the 22d, by a vote of 355 to 239—majority 116.—The majority last September, before the prorogation of Parliament, was 345 to 236. The bill was carried up to the Lords on Monday 26th, and was expected to be read a second time, when the debate would commence, on Monday, 2d April.

As to its probable fate there, it seems fair to infer from the annexed extract from Mr. Stanley's speech on the third reading of the bill, that the royal prerogative of creating peers will assuredly be exercised if necessary. Mr. Stanley said—

"He should, in the first place, allude to a matter, of peculiar delicacy, and one that he must say had been most irregularly introduced into this discussion—he meant the undoubted prerogative of the Crown to add to the numbers of the other House of Parliament. He had been surprised at hearing that prerogative in any respect questioned by the learned gentleman (Sir C. Wetherell) opposite. That any minister who advised such a measure would incur a grave and great responsibility, no one would deny; and he was equally ready to admit that a Minister of the Crown, in giving such advice, must rest his defence upon the emergency of the times, and upon the only alternative left to him—that of avoiding greater evils. He could not hear it said, that on no occasion, when great and imminent evils arose, when the two Houses of Legislature were in complete and total variance with each other,—he could not hear it said that on such an occasion no minister of the crown could take upon himself the responsibility of advising the Sovereign to adopt such a measure as would put an end to so fearful a state of things. (Cheers.) The right honorable gentleman then went fully into the circumstances of the impeachment of Lord Oxford, and showed that the creation of peers, so far from being a material charge in that impeachment, was inserted at the end, and considered so unimportant that Lord Oxford did not even notice it in his first answer to the articles of his impeachment. When Lord Oxford did subsequently allude to it, it was only in order to assert most unequivocally the full right of the crown to create peers at pleasure.

The right hon. gentleman concluded this part of his speech by declaring that, should the confidential advisers of the Crown see it to be their duty to advise His Majesty to take such a step, they should most assuredly not flinch from the responsibility of giving that advice, and, supported by the feelings and the wishes of the country, and knowing, too, the stake for which they played, they would altogether disregard the idle threat, the *brutum fulmen* of an impeachment, with which the hon. and learned gentleman had endeavored to affright them. [Loud cheers.]

In the House of Lords, on the evening of the 26th, when the Reform Bill was carried up and read for the first time, it was intimated by Lords Harrouby and Wharnccliffe that they did not mean to oppose the second reading; reserving to themselves when in committee, to endeavor to make the bill conformable to their views. They both admitted that, in the course of rejecting the former bill on its second reading, the House had not been sustained by any party in the kingdom. The Duke of Wellington announced his unaltered opposition to the bill. The Bishop of London intimated his purpose to give it a fair support. With all these occurrences, however, we see no safety for the success of the measure, but in a large creation of peers.

The North American Review is getting to be quite an authority in the British House of Commons. It was quoted in the last discussion in the House on the Reform Bill, by Sir R. Inglis, against Reform; and on a subsequent day, in a discussion concerning the West India Colonies, it was again quoted by a Mr. Burge, as having held out temptations to those Colonies to throw themselves into the arms of America.

CURIOUS STATISTICS.—In a discussion in the House of Lords on the state of the glove trade, of which

the depression was ascribed by some speakers to the importation of French gloves, it was stated by Lord Auckland that the annual consumption of gloves averaged fifteen million pair, and that not more than one million were imported.

AMERICAN PRECEDENTS AGAIN.—The Lord Chancellor, says Bell's Messenger of 11th March, has again brought before the House of Lords the law of Debtor and Creditor. It appears that the law commissioners have made a report, recommending the abolition of imprisonment for debt altogether, both on mesne process, and in execution; except in cases where debts have been fraudulently contracted.—The experiment has been recently made by the United States of America, and we have no doubt it will be found to answer; because it is not only founded on essential justice, but in good policy.

The Cholera was gradually extending itself all over London, Westminster, and the neighboring suburbs, as they may be called, of Camberwell, Lambeth, &c. St. George's, Hanover Square, and Westminster, both comparatively open and cleanly parts of the town, had been invaded. The new cases on the 26th were 105 in number. The whole number of cases since the commencement of the disease was 1365—of deaths 742.

The report of the 26th included that day, and the preceding one, which was Sunday. The new cases on Saturday were 47—on Friday 56. There seemed to be little alarm felt on the subject.

Mr. Van Buren attended the King's levee on Thursday 22d, and took his leave previous to his departure for the Continent.

There have been some rather serious disturbances at Grenoble. It appears that, on the 12th instant, during the carnival, there was a masquerade procession there, the object of which was to ridicule the King and the ministers. This attempt, which in the beginning was unaccompanied with any angry feeling, was resisted by the civil authorities, but not put down. The people waxed bold as the prefect waxed feeble, and a general riot was the consequence. Some blood was spilt, and very great confusion prevailed for a considerable time. At the last accounts, the town was restored to its usual tranquility. The Constitutionnel attributes these disturbances—which prevailed, though not to an equal extent, at Lyons and several other towns in the neighborhood—to the intrigues of the Carlists.

As to Portugal, the Courier affirms its belief that Spain will assist Don Miguel; in which event, it says, a British fleet must be ready to batter Lisbon about the ears of the Miguelites; and meantime calls on the Government to acknowledge the diplomatic functionalities of Donna Maria.

CAPT. SARTORIUS, it appears, who commands Don Pedro's squadron, has been struck from the navy list of England. To a question on the subject in the House of Commons,

Sir James Graham replied, that his name had been erased for being absent without leave. He had applied for leave of absence. Explanations were then asked; they were not answered; the Admiralty learnt that Capt. Sartorius was absent from the country, and thereupon erased his name from the list of commanders, as a matter of course.

It is said it will not be difficult for the captain on his return, to procure his name to be reinstated.

The town of Limerick is taking measures to return Moore the poet as its representative in a reformed Parliament.

From late Paris papers received at his office. [From the Gazette de France of 24th March.] The disorders which broke out at Naples appear to have been totally unconnected with politics, and that they are altogether referable to a quarrel which took place between some Sicilian and Neapolitan Soldiers.

Letters from Naples gave the following statement:—

"The days of Sunday and Monday passed in tran-

quility, and his Majesty rode on the Corso. But on Tuesday some soldiers of the garrison having indulged in wine, engaged in a violent dispute with those of the Sicilian regiment. The result was terrific. Ten were killed and many were wounded on both sides. Yesterday the regiments of the Guard were ordered to distant places, and the Sicilian regiments now in Naples will likewise be sent away.—Perfect tranquility is now re-established in the capital. His Majesty is greatly mortified at these events."

The *Semaphore* of Marseilles contains the following paragraph:—

"We learn by the arrival of the steam-boat Henry IV., from Naples, which left that place on the 16th, that on the 6th a quarrel broke out between a regiment of the Royal guard and the soldiers of a Sicilian regiment. Eighteen persons were slain on both sides. This quarrel was totally unconnected with politics."

[From La France Nouvelle, of 23d March.] The Chamber of Peers has agreed to the project of law relative to Charles X. and his family. No discussion took place. After the report of the Duc de Broglie, the deliberations and scrutiny took place, and a large majority agreed to the amendments proposed by the other Chamber. Thus has ended a debate, which was looked upon by factions persons as containing the elements of further collisions between the great powers of the State.

CHAMBER OF PEERS.—SITTING OF MARCH 22. The bill relative to the exclusion of the families of Charles X. and Napoleon, as re-amended by the Chamber of Deputies, was adopted, without discussion, by a majority of eighty against thirty.

M. Champollion the younger, so well known for his revelation, so to speak, of the long hidden mysteries of the Egyptian hieroglyphics, died recently at Paris. Among his manuscripts is an Egyptian grammar, which the Journal des Debats characterizes as "the key of his discoveries, and as unfolding the first decipherable alphabet of ancient Egypt." Many of the papers unite in calling upon the Government to purchase his MSS., both as essential to the cause of letters, and in order to ensure thereby a provision to his family.

Champollion's worthy English rival, in decyphering hieroglyphics, Young, preceded him to the grave.

Our army readers will remember with how much force of argument a writer in this paper under the signature of Corporal Trim, has urged the importance, especially in the ordnance department, of sending officers to Europe to learn all that can be gathered there. The subjoined paragraph from the *Gazette de France* of 13th ult., shows that such is the course even in France, where the arts of war are supposed to be thoroughly appreciated:

The Minister of Marine has just sent two artillery captains into Sweden, in order to make themselves acquainted with the method pursued there of constructing cast-iron cannon. No one is ignorant, that in this particular, Sweden is the country in Europe in which science has made the greatest advances, thanks to its distinguished Savans, and notably to the famous chemist Berzelius. It is from the foundries of Sweden that Prussia recruits the immense materiel, which is her chief force; and even England goes there frequently for guns for ships of war. It is said that the Minister of War is about to institute a similar mission for the artillery.

A scene of the greatest disorder occurred in the Chamber of Deputies on the 10th March. The subject under discussion was the law consecrating anew the Pantheon to those who have merited well of their country. The difficulties arose from the variety of amendments proposing different names; those of Ney, Massena, Kleber, Dugomier, Latour d'Auvergne, Benj. Constant, Foy, Bailly, and others, were proposed; that of Moreau, was mentioned and indignantly rejected; till finally the greatest confusion prevailed in the Chamber, and the President, after in vain endeavoring to restore order, left the chair and declared the sitting at an end. The Deputies of the two Extremes remained, and insisted upon Dupont de l'Eure taking the chair and continuing the session. Meanwhile, the attendants began extinguishing the lights, and these Deputies then re-

tired amid the hisses of the galleries, which remained filled to the last.

Another curious scene occurred on the 9th. M. d'Harcourt, the Ambassador to Spain, but who had been delaying at Paris and was sitting as a Deputy, was reproached for not being at his post; whereupon he made a very indiscreet speech, abusing the opposition, and representing France as so torn by intestine divisions that she was powerless, and without respect in Europe; and that for these, among other reasons, he had little satisfaction in representing her at a foreign court. This led to an angry and personal debate. Among others, M. Garnier Pages broke out against M. Casimir Perrier; and referring to his present opposition to propagandism, said, "the ministry itself began with propagandism, and I have the evidence of it."

M. Casimir Perrier and Gen. Sebastiani.—Produce it.

M. Garcia Pages.—There was a directing committee for revolutionizing Spain. Does the President of the Council desire I should cite the names of those who composed it?

A general cry of Yes, yes.

M. Pages.—The son of the President of the Council was, with myself a member of it.—(Movement of surprise.) The President of the Council, very pale, and much excited, apostrophized the orator, but his voice did not reach us.)

M. Pages continued, "At that epoch, in concert with the Government, we obtained from it every thing to accelerate the armed entry into Spain of the persecuted refugees: we procured even that some of the work people who fought with us in July, should be despatched thither to unite their efforts to those of the Spanish revolutionists: regular directions for their route were given to them; I have several of them in my possession. After that, the principle of non intervention was adopted: and now, gentlemen, I fear, that after embarking in propagandism, I fear, we are to espouse the doctrines of the Holy Alliance."

The President of the Council made no reply to this notice.

At a subsequent stage of the same debate upon a proposition to reduce the sums allowed for diplomatic services, the President of the Council objected to such unwise economy, and said, "we hear much of cheap Governments, where, nevertheless, every thing is paid very dearly—in America, for instance, although it is a Republic, a document I hold in my hand, sustains my reasoning."

Here the Minister read an American state paper, (doubtless Mr. McLane's Treasury report) disapproving too severe economy in the salaries of diplomatic functionaries abroad; and added, "in that cheap Government the national guard costs 100,000,000, (\$20,000,000!) the expense per head of each man, which in France is 35fr. in 37 in America!"

A Voice.—This calculation is inaccurate.

M. Casimir Perrier.—It is very accurate; (much noise and interruption) and in speaking of our own affairs, I ought to be listened to with as much attention as those who talk about the Italians and the Portuguese. The Minister went on to prove, that after that of England, the cheap Government of the U. S. was that which cost most to the tax payers.

M. Lafayette from his place disputed the calculations of the Minister, and read some letters on that subject from Mr. Cooper.

M. Jaubert, from his place.—Mr. Cooper is a writer of romances, and has perhaps written some on the finances. (Prolonged merriment.)

M. Madier de Montjau.—Very well. (Laughter.)

The Warsaw Gazette states that there is living at Potoski, near the frontiers of Lithuania, a shepherd named Demetrius Grabowski, aged 169 years.

HOME AFFAIRS.

TWENTY-SECOND CONGRESS—1st SESSION.

Wednesday, April 18.

In the Senate, Mr. Dallas, introduced, on leave, a bill supplementary to the act for the punishment of certain crimes against the United States, which was twice read and referred to the Committee on the Judiciary. The bill providing for the vaccination of Indians, with a view to prevent the ravages of the small pox among them was taken up; and was ordered to a third reading, by a vote of 30 to 11.

Mr. Forsyth submitted a motion to reconsider the vote of yesterday, by which the appropriation for the expenses of the United States Courts was reduced, and it was laid on the table. The bill exempting vessels from Portugal from the operation of the law imposing certain discriminating duties, was considered and ordered to a third reading.

In the House of Representatives, Mr. C. Johnson offered a resolution authorizing General Houston to introduce counsel upon the floor to assist in his defence, which was agreed to. Mr. Patton offered a resolution directing that the testimony of the case of General Houston should not be published in the newspapers during the pendency of the trial, which, after a discussion, was withdrawn by the mover.

Gen. Houston was then introduced into the House, attended by Mr. Key, his counsel. He was arraigned by the Speaker. Gen. Houston then offered a paper to the House, which was sent to the Speaker, who decided that it must be read by the accused or his counsel. It protested against the jurisdiction of the House, and requested leave, as a preliminary step, to make a motion to the House. Leave being given, Mr. Key stated, in substance, that the accused was arraigned for a trial, the result of which might involve his honor and personal liberty—that a fair and impartial trial should be awarded by the House. That his case should not be prejudged by the tribunal who were to decide it. That a member of the House had formed and delivered an opinion unfavorable to the accused. His motion was that the gentleman who had formed and expressed this opinion might be withdrawn from the ultimate decision of the case.

The Speaker directed the motion to be reduced to writing. It was then read by the Clerk. Mr. McDuffie moved that the accused and his counsel be conducted from the Bar while the motion was under consideration, which was carried, Ayes 91, Noes 89. An animated debate ensued on the motion which had been offered in behalf of Gen. Houston, when Mr. Archer remarked that he understood a message had been received from the accused, expressing a wish to withdraw the motion. Leave was given to withdraw the motion. General Houston and his counsel were again introduced—when Mr. Key remarked that the motion was made under the belief that it would occasion no delay—and as the accused was anxious to proceed, he would withdraw the motion. The Speaker inquired of General Houston whether he was prepared to proceed with his trial—to which he answered in the affirmative.

The Speaker ordered that the letter of Mr. Stanberry containing the charge be read, and then propounded the first interrogatory in the order of proceedings as follows:

Do you admit or deny that you assaulted and beat the said Stanberry, as he has represented in the letter, which has been read, a copy of which has been delivered to you by the order of the House?

To which Gen. Houston responded as follows:—

The accused denies that "he assaulted and beat the said Stanberry as he has represented in the letter which has been read."

He admits that he felt great indignation on reading in the National Intelligencer remarks there stated to have been made on the floor of the House of Representatives by the said Stanberry, imputing to the accused by name, a gross offence of which he knew himself to be innocent, and the dissemination of which throughout the country, by such publication, was evidently calculated to affect his honor and character. Under these circumstances, the accused was induced to inquire of said Stanberry, in a respectful note, whether the report of what he had said was truly set forth in said paper? To which inquiry thus made, said Stanberry refused to give any answer, in a manner calculated still further to injure the accused. The accused admits that he was greatly excited by these provocations, and that under the influence of feelings thus excited, he did, on accidentally meeting the said Stanberry, assault and beat him, the accused being unarmed with any other weapon than a common walking cane, and believing the said Stanberry to be, as he in fact was, armed with pistols—that the meeting took place several hours after the adjournment of Congress, about 8 o'clock in the evening, on the Pennsylvania Avenue, and nearly half a mile from the Capitol; and on the opposite side of the Avenue from where Mr. Stanberry's boarding-house is situated; and that at the time of this occurrence, he was neither seeking for, nor expecting to see the said Stanberry.

The accused denies that he intended to commit, or that he believed he was committing, any contempt towards the House of Representatives, or any breach of its privilege, or the privilege of any of its

members. He denies that the act complained of constitutes any such contempt or breach of privilege, and is prepared to justify his conduct, so far at least as the rights and privileges of this House and its members are concerned, by proof.

The Speaker then propounded the second interrogatory as follows:

"Do you admit or deny that the same assault and beating were done for, and on account of, words spoken by said Stanberry, in the House of Representatives in debate?"

To which Gen. Houston made the following reply:

I consider the answer already rendered to the first interrogatory, as embracing an answer to the second.

On motion of Mr. J. Davis, further proceedings were postponed till to-day at 12 o'clock. A discussion relative to admitting Gen. Houston to bail, took place upon a resolution offered by Mr. Conner, which was withdrawn, and the House adjourned.

Congress—Thursday, April 19.

In the Senate, a message was received from the President, transmitting printed copies of each of the treaties concluded with the Indian tribes. The general Appropriation Bill was taken up, the amendments already adopted in the committee of the whole being under consideration. The amendment increasing the allowance for contingent expenses of the Land Office from \$9,000 to \$13,000 was opposed, and the question on concurrence in it being taken, it was decided in the affirmative by a vote of 21 to 18. The amendment striking out the appropriation for the outfit of a Minister to France was objected to by Mr. Smith, and a discussion in relation to the expenses of diplomatic intercourse, in this and former administrations, arose, in which Messrs. Smith, Foot, Hayne, Webster, Forsyth and Mangum took part. The discussion was broken off by an adjournment.

In the House of Representatives, Mr. Conner offered again the resolution which he withdrew on Wednesday, directing that Gen. Houston be discharged from custody upon bail. Mr. T. R. Mitchell moved an amendment discharging the accused from custody without bail. This motion was opposed by Mr. Dickson. At the request of Mr. Speight, Mr. Mitchell withdrew his amendment, and the resolution of Mr. Conner was laid on the table for the present. Gen. Houston and his counsel (Mr. Key) were then introduced into the House by the Sergeant at Arms. After being inquired of by the Speaker whether he was ready to proceed with his trial, which he answered in the affirmative, Mr. Coulter, the chairman of the Committee of Managers on the part of the House, requested that the Hon. Mr. Stanberry might be sworn. He was accordingly sworn by the Speaker. Interrogatories were propounded on the part of the managers, to which he replied, giving a detailed account of the occurrences between himself and Gen. Houston. After responding to the questions put by the managers, Mr. Key, in behalf of the accused, requested the attendance of certain members of the Senate as witnesses. A message was accordingly sent to the Senate requesting their attendance. Messrs. Grundy, Buckner, Tipton and Ewing soon afterwards made their appearance and took their seats as assigned them on the floor of the House. Certain interrogatories were then propounded on behalf of the accused to Mr. Stanberry. After they were answered, a question arose on an objection to an interrogatory proposed by the counsel of the accused, which was made by Mr. Dickson, and was argued by that gentleman and the counsel for the accused. The question was taken by yeas and nays, and the objection was overruled by the House—Yeas 101, nays 82. An objection arose upon a collateral matter involved by the answer to the interrogatory which had been sustained by the House, which gave rise to a discussion which continued till nearly five o'clock, when the whole subject was, on motion of Mr. S. Condict, postponed until Friday 12 o'clock. The House then adjourned.

Friday, April 20.

In the Senate, a message was received from the President, transmitting the instructions and correspondence relating to the Colonial trade, not heretofore communicated. A resolution, submitted by Mr. Buckner, calling upon the Secretary of the Treasury for certain information relative to the public lands, was agreed to. Mr. Hendricks laid on the table a motion to reconsider the vote, ordering to a third reading, the bill providing for the vaccination of the Indians. The Appropriation Bill was taken up—the question being on concurring in the amendment, adopted in the committee of the whole, strik-

ing out the appropriation for an outfit of a minister to France. The discussion of this question was continued by Messrs. Chambers, Clayton, Forsyth, Hayne, Tazewell, Webster, Smith and Miller, till four o'clock, when the Senate adjourned to meet on Monday.

HOUSE OF REPRESENTATIVES.

Trial of Gen. Houston.—The question pending at the adjournment on Thursday was disposed of. Mr. STANBERRY continued his testimony, which was arrested in several instances by objections to its relevancy. Before he had concluded his testimony, on motion of Mr. KERR, the trial was postponed until this day, 11 o'clock, and the House adjourned.

(From the Correspondent of the N. Y. American.)

CONGRESS.—Saturday, April 21.

The Senate did not sit.

The House of Representatives was occupied till a late hour with the Houston affair. The examination this day seemed much more like an investigation into the conduct and motives, in his capacity as member of the House of Representatives, of Mr. Stanberry, who was on the stand as a witness, than of a person charged with an assault upon him.

At the close of the proceedings which—after an ineffectual attempt by Mr. McDuffie, which was resisted on behalf of his client by Mr. Key, to have the investigation carried on by a committee with powers, &c.—were adjourned till Monday [this day] at twelve o'clock.

Mr. Cambreleng asked and obtained leave of the House for further time to enable the Committee who had been appointed to go to Philadelphia to inspect into the affairs of the Bank of the United States, to make their report thereon, which Mr. C. said would be very voluminous.

No day was fixed, but it is presumed it will be presented by Wednesday next.

The House then adjourned.

Monday April 23.

In the Senate two messages were received from the President of the United States—one, transmitting a report from the Secretary of State, recommending the passage of a law making it penal to counterfeit the foreign coins in circulation; and the other transmitting a report from the Secretary of the Treasury, in relation to public lands, prepared in obedience to the resolution of the 26th March last. The motion of Mr. Hendricks for the reconsideration of the vote, on ordering the bill providing for extending the means of vaccination among the Indians to its third reading, was taken up and the vote was reconsidered. Mr. Frelinghuysen, then submitted an amendment, which was adopted after a short debate; and, on motion of Mr. Grundy, the bill was recommitted, with instructions, to the Committee on Indian Affairs. The morning's business having been concluded, the consideration of the appropriation bill was resumed, and the debate of Friday was continued by Messrs. Miller, Clayton, Tyler, Clay, Smith, Holmes, King, Bibb, Sprague, and Forsyth. On taking the question, the amendment made in Committee of the Whole was concurred in—yeas, 23—nays, 21. So the appropriation of \$9,000, for the outfit of a minister to France, was stricken out of the bill. After adopting some amendments and rejecting others, the Senate adjourned.

In the House of Representatives, a message was received from the President of the United States, transmitting a report of the Secretary of State, suggesting the propriety of passing a law making it criminal to counterfeit, within the limits of the United States, the coins of foreign nations. On the motion of Mr. Ellsworth, it was referred to the Committee on the Judiciary. A variety of petitions and memorials were afterwards presented. Mr. Pearce submitted a resolution on the subject of the recent arrest of Dr. Samuel G. Howe, by the authorities of the kingdom of Prussia. Mr. Drayton offered a resolution providing for the embodying into one act, by the Secretary of War, all the various laws on the subject of the Army, which was laid on the table one day. Resolutions were presented also by Mr. Duncan, Mr. Slade, and Mr. Mardis; and Mr. Bullard laid before the House certain resolutions of the Legislature of Louisiana, on the subject of the renewal of the Bank Charter, and the construction of a ship channel from New Orleans to the Gulf of Mexico. The House then took up the report on the case of the Wiscasset charges, and after some remarks from Mr. Evans, of Maine, Mr. Plummer resu-

med his argument in favor of referring the subject to the Treasury Department. On the expiration of the hour, the House proceeded to the trial of General Houston.

There are no papers from Washington to-day; but by private letters, we learn that the testimony in the case of Mr. Houston, was brought to a close on Tuesday; and that thereupon the Speaker notified Mr. Key, the Counsel of Mr. H., that he might proceed to address the House. It was, however, on motion, resolved to defer further proceedings until next day. The Bank report, or rather two reports, one from the majority, and another from the minority, were expected yesterday.

RELIEF TO FOREIGN IMPORTERS.—We published some weeks ago a communication setting forth the injustice of that provision in the bill from the Senate exempting merchandise under certain circumstances, from the duties of the Tariff law of 1828—which limited the said exemption to the time of the vessels arriving in the United States. We now have the pleasure of laying before our readers an amendment, which Mr. Pearce, of Rhode Island, has given notice of his intention to offer to that bill whenever it shall be called up. The scope of this amendment is to effect, what doubtless the bill from the Senate meant to do, the relief of all who had *bona fide* given orders for merchandise previous to the higher duties of 1828, and were unable to countermand them.—Such being the case, we do not doubt that Mr. Verplanck, who had reported the original bill from the Senate complete, will acquiesce in the proposed amendment.

The amendment is as follows:

Sec. 2. And be it further enacted, That, in all cases in which foreign merchandise was imported into the United States subsequent to the first day of September, in the year aforesaid, and shall have paid duties to the United States according to the rates aforesaid, which said merchandise shall have been ordered or purchased prior to the 19th day of May, in said year; and it shall be made to appear to the satisfaction of the Secretary of the Treasury that such merchandise was ordered or purchased by the merchant in the regular course of his business, and that it was out of the power of the merchant to countermand his orders subsequent to the passage of the act aforesaid, the Secretary of the Treasury, without regard to the time when said merchandise shall have arrived in the United States, be and he hereby is, authorized and directed to refund out of any moneys in the Treasury not otherwise appropriated, so much of the duties paid on said merchandise as was first created or imposed by said act, as additional to the duties before that time and retain so much only as said merchandise was liable to previous to the passage of said act: *Provided*, That he said duties have not been returned in debentures on the exportation of said merchandise.

Messrs. Lewis, Collins & Co. of Maysville, Ky. have in the press "Sketches of Western Adventure," by John M. McClung author of "Camden."

The Rev. Timothy Flint, of Cincinnati, is preparing for the press, the "Life of Daniel Boone." From the well known talents of the author, we may anticipate a work of more than ordinary interest.

DECISIONS OF THE SUPERIOR COURT.—Present, Chief Justice Jones, and Judges Hoffman and Oakley. Richard A. Striker, and Gabriel A. Striker, vs. Samuel Van Norton.

Wm. P. Slosson and Peter W. Feller, ads. George Adams. Judgment affirmed.

Joseph Goddard, vs. Joseph H. W. Grimshaw.—Judgment reversed.

Joseph Watson, vs. Percy Smith. Judgment affirmed.

Andrew Williams, vs. Henry C. Ingraham and Edward H. Gillilan. Judgment reversed.

The steamboat Yellow Stone left St. Louis a few weeks since, for the river whose name she bears. This boat (says the Times) belongs to the American Fur Company, and is employed in the transportation of the stores for their trade, and in the return of the produce of their labor and capital. This is her second trip; she being the first steamboat that has ever attempted to ascend the Missouri as high as her point of destination. Success attend her, and may the spirit and enterprize of her adventurous owners meet an ample reward.

The Illinois School Fund.—By statements made from the proper sources in the Illinois Intelligencer, it appears that eighty-two thousand dollars are now available for the purposes of education.

MILITARY MOVEMENT.—A detachment of 200 U.S. troops, under the orders of Capt. Wharton, embarked on Friday morning on board the ship St. Louis, bound for New Orleans. Officers attached to the command—Capt. Wharton, Lieut. Simonton, Lieut. Worth, and Lieut. Turner.

Terrible Calamity—Sixty Lives Lost.—An extra from the office of the Nashville Republican, contains the following distressing intelligence:

NASHVILLE, Saturday Night, April 14.

"It is our painful duty to announce one of the most awful occurrences that the history of steamboat disasters has ever afforded. Several letters have been received in town from Memphis, stating the loss of the steamer Brandywine, about 25 miles above that place, and the destruction therewith of sixty or seventy lives, either by drowning or burning. The news appears to have been communicated by Capt. Hamilton himself, thus leaving no room to doubt its correctness. Eight or ten cabin passengers, and fifty or sixty deck passengers, were lost—among the former were Mrs. Robert T. Walker and child, and Mr. Robert Stothart, of this place. The Brandywine was on her passage from New Orleans to Louisville. We understand she was insured."

Extract of a letter from a gentleman in Memphis, dated April 10, 1832.

"Capt. Hamilton has arrived here from the wreck of the Brandywine, and reports that at eight o'clock last evening, 25 miles above this place, and blowing fresh, his boat was discovered to have taken fire on the upper deck. In one minute the whole decks were wrapped in flames, and before it was possible to run her ashore, between 50 and 70 of the passengers and crew threw themselves into the river and were drowned or burned to death.

"It is said that Capt. H. and his pilot, although surrounded by flames, stuck manfully to the boat until she grounded, when the captain, much scorched, reached the bank by the help of a line.

"The light was very perceptible here, and for ten miles into the country."

We learn in addition to the above, (says the Cincinnati Gazette) from conversing with a number of the passengers of the Brandywine, arrived here yesterday in the steamboat Robert Fulton, that at the time the boat took fire she was racing with the steamboat Hudson; that the Brandywine had stopped for an hour and a half to make some repairs; that on getting under headway, a large quantity of resin was thrown into the fire, which caused the sparks to fly very thick, and to set fire to some straw which lay near the chimneys; that the wind blew hard down the river; that the number of passengers and hands on board was about two hundred, and that out of the whole there were but seventy-five saved.

The passengers were landed on an island, many of whom died of the burning before morning. In attempting to get the yawl out, the steamboat ran upon and sunk her. The accounts given by the passengers of the number on board vary—some saying 200, others 230; but all agree that the number found living in the morning upon the island was seventy-five. Nine women were lost, six of whom were black servants.

The following is as correct a list as we have been able to obtain of the names of persons lost. The gentleman who furnished it to us states that it contains the names of about one third of those known to be lost among the deck passengers, and the names of all the cabin passengers who have lost their lives. Cabin Passengers.—H. Hillard, Nashville; H. H. Davenport, Folter, Robert Stothart, Nashville; Mrs. Walker and child, Mrs. Sparks, 3 colored women and child. Deck Passengers.—L. Hamilton, Joseph Forte, Abner Osborn, Brys Jackson, B. Williams, Jos. Leonard, L. Freeman, B. B. Murrell, Martin Cozine, Jno. Myers, H. McMillan, Edw'd Bebe, Jno. Mortimer, E. Wright, Marc'l John Adams and brother, W. Dwyer, Chas. Saunders, A. Stansbury, J. Nock.

Another Accident.—The steamboat Polander, a short time after she left our wharf last evening, on her upward passage, came in contact with the Hornet, which was coming into port, by which considerable injury was done. We regret to say, the Captain of the Hornet was killed, and another person very much injured. Particulars not ascertained.

The Arkansas Gazette of the 28th ult. mentions the arrival of the steamboat Reindeer from New Orleans, having a large keelboat in tow, with 70 or 80 emigrating Cherokees on board. Shortly after leaving the mouth of White river, a respectable half breed woman by the name of Vann fell overboard and was drowned.

LEGISLATURE OF NEW-YORK.

Saturday Afternoon.—IN SENATE.

The Committee of the Whole again took up the resolution proposing to amend the constitution so that the auction and salt duties be diverted from the canal to the general fund.

The resolution was agreed to and the committee rose and reported. Mr. Seward moved to amend the report, by adopting the substitute offered by him in committee of the whole.

The report was agreed to and the resolution ordered to a third reading.

The Committee of the Whole passed the following bills:

To incorporate the President, Directors, and Company of the Salina Bank.

The Palladium Insurance Company of the city of New York.

The Commercial Insurance Company of the city of New York. Adj.

IN ASSEMBLY.

Petitions presented and referred:—Of the President, &c., of the first company of the great western turnpike road, to construct a Rail-road from Albany to Ithaca; the remonstrance of manufacturers of combs, against the manufacture of combs in the Auburn state prison.

The Committee of the Whole took up the bill to incorporate the Schoharie and Otsego Rail-road Company. Mr. Gibson proposed an amendment providing for the protection of the Schoharie turnpike company, near and across which the proposed Rail-road passes. It was opposed as a bad precedent, and because if established, it would entirely put a stop to all improvement in the means of communication. The amendment was lost; when the committee rose and reported.

The same committee rose and reported on the bills to incorporate the Brooklyn and Jamaica Rail-road Company; and to authorize the supervisors of Livingston county to raise money to build a bridge across the Genesee river.

The first bill was ordered to a third reading; the second bill was referred to a select committee to conform it to the pattern bill. Adj.

IN SENATE—April 16.

Mr. Mr. McDowell, from the committee on privileges and elections, which was instructed by a resolution of the senate to inquire into the expediency of postponing the election of members to the 23d congress, until 1833, submitted a report thereon, and brought in a bill on the subject containing the following provisions:

1. Provides that the representatives from this state in the next congress, shall be chosen at the general election of 1833, instead of 1832, as now provided by law.

2. All future elections shall be held at the times provided by the Revised Statutes, viz: every second year after 1826.

3. If the apportionment bill should pass this session of congress, then the bill to be void and the governor to call an extra session of the legislature at some time before the 1st of September next.

The bill was made the special order of the day for to-day.

Mr. Beardsley from the committee on the judiciary, reported against the bill from the assembly to repeal certain sections of the revised statutes.

The bill to incorporate the Utica and Susquehanna Rail-road company, was taken up, and so amended that the time for receiving subscriptions is limited to the 1st January next, when it was again laid on the table.

Mr. Maynard moved the following:

Resolved, That the Canal Board report to the Legislature, at the next annual session thereof, upon the expediency of reducing the tolls upon the Erie and Champlain canals, to the rates recognized in the constitution, except upon salt passing from tide water, and the probable effect of such reduction to increase transportation upon said canals, and its consequent effect upon the revenue thereof, and upon the commerce of the country. Also, whether such reduction is expedient or necessary to prevent diversion of transportation from said canals or either of them. And that the said Board also report upon the expediency and propriety of restricting the transportation of lumber upon the Erie canal in rafts to the period between the middle of June and the middle of September; and whether such reduction in the rates of tolls, would render such restriction expedient or necessary.

ADJOURNMENT.

Mr. Beardsley called for the consideration of the resolution from the Assembly for an adjournment of the legislature on the 24th instant.

A discussion of some length arose, on several motions to amend and postpone the resolution. The 26th inst. was finally fixed as the day of adjournment, and the resolution, thus amended, passed, and was returned to the Assembly.

The resolution for amending the constitution, so that the duties on sales at auction, and on the manufacture of salt, be diverted from the canal to the general fund, was read the third time and passed,—ayes 26, noes 2.

Bills read a third time and passed—

To incorporate the president, directors and company of the Salina Bank—ayes 22, noes 6.

The bill to amend the act to incorporate the Northern missionary society, was read a third time and laid on the table.

The senate then resolved itself into a committee of the whole, on the bill altering the time of electing representatives to the 23d congress of the U. S.; and the bill providing for the distribution of the electoral law.

The 3d section of the first mentioned bill provides for the holding of an extra session for districting the state for the election of members of congress, provided the apportionment bill should pass at the present session. Mr. Tracy moved to strike out this section. His motion was debated and lost, 3 only rising in favor, when the bill was passed. The committee also passed the other bill referred to it, and they were ordered engrossed for a third reading.

Adjourned.

IN ASSEMBLY.

Mr. Moulton, from a majority of the Select Committee, to whom were referred twenty six memorials from various parts of the state, relative to the employment of chaplains by the Legislature and the payment for their services from the public money,—with the unanimous consent of the House, submitted a long report adverse to the constitutionality of the practice—concluding with a recommendation that that part of the Revised Statutes providing for the payment of chaplains, appointed by the Legislature, be repealed, in conformity with the provisions of a bill introduced at this session by the chairman of the committee. Accompanying the report were the following resolutions, intended to apply to other subjects embraced in the several memorials referred to the committee:

Resolved, That all legislation on religion, other than pursuant to the constitution, to secure to "all mankind within this state, without discrimination or preference" the free and unmolested enjoyment of the rights of opinion and of free discussion, is unjust, unauthorized and unconstitutional.

Resolved, That all existing laws by which any person within this State is coerced against his conscientious opinions, to conform to the religious creeds or doctrines of others, are unjust, unconstitutional, nugatory, and ought to be repealed.

Resolved, That to obstruct the public streets or highways with iron chains or other impediments to the free use thereof on Sunday or any other day, is an exercise of power without right and ought to be interdicted under proper and effectual penalties.

On motion of Mr. H. D. Dodge, the report was laid on the table.

Bills read a third time and passed:

Concerning the Brooklyn Savings Bank.

For prevention of frauds in the sale of oil.

To incorporate the Eastern Dispensary in the city of New York.

To incorporate the Watertown and Rome Rail-road Company.

Adjournment.—The Senate returned the resolution of the house, fixing the time of adjournment, with an amendment substituting the 26th for the 24th inst., inserted in the original resolution. The question recurring on concurring with the Senate in their amendment, Mr. King moved to amend the amendment by striking out the 26th and inserting the 30th instant; which, after a motion made by Mr. Stillwell to lay the resolution on the table being lost, was decided in the negative, ayes 48, noes 55. The question then recurring on concurring with the Senate in their amendment, it was decided in the affirmative. 64 to 19.

Mr. Granger called for the question on concurring with the Senate in their amendments to the bill to incorporate the American Insurance Company, in the city of New York; and on his motion the house concurred in all the amendments, with the exception of that striking out the eighth section.

The House also concurred with the Senate in their amendments to the bill to incorporate the Washington county Insurance Company.

Tuesday, April 17.—IN SENATE.

Mr. Allen made a report against the bill to incorporate the Troy City Bank.

Mr. Tallmadge moved a concurrence of the resolution from the Assembly, to direct the Secretary of

State to furnish the New York Lyceum with Legislative documents, &c., and offered an amendment directing fifty additional copies of Legislative documents to be printed after the present session, which was adopted; and the New York Law Institute was included on motion of Mr. Sherman.

Mr. Westcott moved that the Senate concur in the resolution from the Assembly to procure two copies of Col. Trumbull's painting of the Declaration of Independence, for the use of the Senate and Assembly; and the resolution was concurred in.

Bills passed.—To incorporate the Palladium Insurance Company in the city of New York; ayes 23, noes 4.

To incorporate the Commercial Marine Insurance Company in the city of New York.

To incorporate the Bowery Fire Insurance Company.

Mr. Edmonds inquired if this bill was necessary.

Mr. Allen thought not; but the respectability and impertunity of the applicants, in connection with the proposed location of the company, had induced him to vote for this bill somewhat against his convictions; and as he did not apprehend the same danger from incorporations of this kind, that he did from too great an increase of banks, he hoped it might pass. It was lost, noes 7, ayes 21.

To incorporate the New York State Agricultural Society.

To extend the charter of the Allegany Coal Company.

To appropriate certain funds for the erection of an Academy in the county of Richmond; this money had been originally appropriated by the State to St. Andrews church at the Quarantine ground, on certain conditions, which the church had not fulfilled.

A discussion ensued and was continued at some length, whether or not this was a two third bill, when it was decided to be a two-third bill, and was so passed.

To change the time for electing representatives from this State to the 23d Congress, and for an extra Session of the Legislature.

For the distribution of the law regulating the election of Presidential electors.

After the consideration of executive business, the Senate adjourned.

IN ASSEMBLY.

Bills read a third time and passed:

To build a bridge across the Bushwick Creek.

To establish a college of Pharmacy in the city of New York—laid on the table.

To incorporate the city of Rochester.

The House concurred with the Senate in the amendments to the bill, incorporating the Salina Bank—ayes 100, noes 4.

The bill to incorporate the Mechanics' Bank of Rochester, was lost by a vote of 74 to 28.

The bill to incorporate the Chemung Canal Bank passed by a vote of 96 to 7.

The bill increasing the capital stock of the Bank of Genesee, was opposed by Mr. Myers, and supported by Mr. Gates, and lost—ayes 81, noes 22.

The bill to incorporate the Essex county Bank passed—ayes 90, noes 18.

To appoint inspectors of pressed hay in the city of New York.

To amend the charter of the Jackson Marine Insurance company.

To incorporate the New York Loan Bank—laid on the table.

IN SENATE—Wednesday, April 18.

The Assembly returned the bill with amendments to amend the charter of the Jackson Marine Insurance Company in the city of New York. The amendment allowed the company to invest their stock in bank stock.

Mr. Allen opposed a concurrence with this amendment, and the Senate refused to concur—noes 24, ayes 1.

Bills passed.—To incorporate the city of Buffalo; to incorporate the Cornwall and Westpoint Turnpike Company; for the improvement of roads and bridges; to incorporate the New York and Erie Rail-road Company—Ayes 23, noes 3.

To incorporate Leather Manufacturers Bank, in the city of New York.

To incorporate the Tenawanda Rail-road Company; lost, noes 10, ayes 20. The loss of this bill was a little remarkable, especially as no opposition was manifested to it previous to the votes being taken.

To prohibit the sale of beef and pork barrels without obliterating the inspector's mark.

To amend the charter of the Brooklyn Savings Bank.

To revive and continue in force the charter of the New York Typographical Society.

IN ASSEMBLY.

The House concurred with the Senate in its amendments to the Palladium Insurance Company, of New York; the Firemen's Insurance Company, of Albany; the Commercial Insurance Company, of New York; in relation to the Corporation of the City of Albany, and the amendments to Resolutions furnishing Documents to Literary Institutions.

Dille read a third time and passed.—To incorporate the College of Pharmacy in the city of New York. Relating to Courts in the city of New York.

To incorporate the Ulster and Dutchess Bank.

To incorporate the Sacketts Harbor Bank—ayes, 98, noes 12.

To incorporate the Lewis County Bank—laid on the table.

To incorporate the Brewers Bank of Albany—laid on the table.

To incorporate the Poughkeepsie Whaling Company—laid on the table.

The House concurred with the Senate in its amendments to the bill incorporating the City of Buffalo.

Thursday April 19.—IN SENATE.

Bills passed in committee of the whole:

Concerning escheats, as to raise a small revenue therefrom, Mr. Bronson in the chair.

To renew the charter of the North American coal company, Mr. Fisk in the chair.

Regulating suits on bills of exchange and promissory notes.

To prevent the abatement of suits by or against corporations in certain cases.

IN ASSEMBLY.

Bills read a third time and passed:

To incorporate the North Western Insurance Co.

To incorporate the Fish House and Amsterdam Rail-road Company.

To incorporate the Hyde Park and Dry Dock manufacturing Co.

To incorporate the Dashville Falls manufacturing Company.

To incorporate the Brewers Bank of Albany, ayes 97, noes 11.

To incorporate the Poughkeepsie Whaling Company; ayes 98, noes 11.

For the relief of the Cayuga nation of Indians.

The bill to incorporate the Lewis County Bank was read a third time and lost—ayes 82, noes 27.

Also the bill to incorporate the New-York Loan Bank—ayes 73, noes 35.

The House concurred with the Senate in their amendment to the bills to incorporate the N. York and Erie Rail-road Company.

The bill to incorporate the Rensselaer County Bank was read a third time and lost—ayes 56, noes 41.—Adjourned to 4 o'clock P. M.

Friday, April 20.—IN SENATE.

Mr. Bronson, from the committee on finance, to whom was referred the bill to reduce and regulate the rate of interest; and who were also instructed by a resolution of the senate, to ascertain and report to the senate, the legal rate of interest in the several states of the Union, and also in the nations of Europe, and as far as practicable, the actual rates of interest and likewise the legal penalties for the violation of the statutes fixing and regulating interest in the said states and nations, submitted an elaborate report thereon. The committee do not recommend any legislation on the subject at the present session.

Mr. Allen from the committee on banks, to which was referred the bill from the Assembly, to incorporate the Chemung Canal Bank, and the Essex County Bank, reported that a majority of the committee were in favor of their passage. Referred to a committee of the whole.

Mr. Beardsley, from a majority of the same committee, reported against the bill to incorporate the Ulster and Dutchess Bank.

The bill to incorporate the president, directors and company of the Brewers' Bank, was referred to the committee on that subject.

Bills read a third time and passed:

Regulating suits on bills of exchange and promissory notes.

To renew the charter of the North American coal company, ayes 25, noes 3.

To incorporate the Utica and Susquehanna Rail-road company—ayes 26.

To incorporate the Hudson river and Owego Rail-road company—ayes 23, noes 3.

After the consideration of executive business, the senate adjourned.

IN ASSEMBLY.—Thursday afternoon.

The Committee of the Whole had under consideration a bill from the Senate, to amend the act for the security of certain monied incorporations. This bill authorizes the comptroller to buy up the stock

issued to J. J. Astor, with the Bank Fund, and to issue in favor of this fund a stock bearing interest at five per cent; it also increases the pay of the Bank Commissioners to \$2000. Mr. Granger opposed the bill in its present form, and proposed an amendment fixing the interest at 4 per cent. Mr. G. referred to the Comptroller's Report, to show that heavy sums had been loaned by the Commissioners of the Canal Fund, to banks in this City, 3 1-2 per cent: That these funds had been mostly withdrawn, and were now loaned to banks throughout the state, at an interest of 4 1-2 per cent. That if banks were good security for the two millions and an half that they now have of Canal money, at the rates before stated, he thought the State of New York quite as good security for one fourth of that sum. It was a new mode of financing, to loan money to banks, at 4 1-2 per cent.; and then borrow it back at 5 per cent.

He was also opposed to this increase of salary, although he considered it of minor importance to the other features of the bill. Mr. Van Schaick concurred with Mr. G. in the view he had taken of this stock operation; when the committee rose and reported, without taking any question.

The same committee had under consideration, the bill relative to the inspection of flour in the city of New York. Mr. Varian proposed a section, providing for the appointment of four inspectors, one to be Inspector General.

Mr. Granger moved to concur with the Senate in its amendments to the Tonawanda Rail-road. Mr. Babbit opposed, and Mr. Granger supported, the amendments. The vote for concurring was 90—against it 10.

The final question was taken on the bill to incorporate the Lafayette Bank, in New York. The bill was lost—ayes 75, noes 26.

On taking the question, it appeared that there was not a quorum; when the committee rose and reported, and the Speaker adjourned the House till 10 o'clock to-morrow morning.

IN ASSEMBLY.—April 20.

Bills read a third time and passed:

To incorporate the Merchants' Bank of Buffalo—laid on the table.

To incorporate the Brooklyn and Jamaica Rail-road Company. This bill was opposed by Mr. Williamson and supported by Mr. King, and passed—ayes 103, noes 2.

To incorporate the Atlas Insurance Company—laid on the table.

To amend the act incorporating the trustees of St. Mary's Church—laid on the table.

To incorporate the Commercial Bank of the city of New York—laid on the table.

To incorporate the Delaware Bank—laid on the table.

In relation to the St. Regis Indians.

To incorporate the New York Marble Cemetery—ayes 90, noes 2.

To incorporate the Good Hope Marine Insurance Company—ayes 90.

The Schoharie and Otsego Rail-road Company bill passed—ayes 88.

An interesting communication from the Secretary of State, was received and read, upon the arrangement of the ancient documents in the archives of the Assembly, made under a resolution offered by Mr. Granger in 1830.

The bill for the relief of Frederick Milligan, was read a third time; (refunds \$160, being the price which the petitioner was sold for, as a slave fifty four years since, by the Commissioners of sequestration) passed unanimously.

To amend the charter of the Mechanics and Traders Bank in the city of New York—laid on the table.

To incorporate the Watervliet Bank—laid on the table.

To incorporate the Somers Bank—laid on the table.

IN SENATE.—Saturday, April 21.

Mr. Allen, from the committee on banks, reported against the bills from the Assembly, to incorporate the Brewers' Bank of Albany, and the Sacketts Harbor Bank. Referred to the committee of the whole.

Mr. A. from the same committee, reported in favor of the bill to incorporate the North-western Insurance Co. with amendments.

Mr. Tallmadge, from the committee on Rail-roads, reported with amendments, the bills to incorporate the Otsego Rail-road Co., and to incorporate the Fish-House and Amsterdam Rail-road Co.

The Assembly sent several bills for concurrence. Among them bills to incorporate the Schoharie and Otsego, and the Brooklyn and Jamaica Rail-road Companies.

Bills read the third time and passed:

To incorporate the Rome Aqueduct Company, ayes 26.

To incorporate the Poughkeepsie Silk Company, ayes 26.

To incorporate the City of Rochester, ayes 23, noes 4.

To incorporate the Dashville Falls Manufacturing Company, ayes 27.

The committee of the whole took up the bill to incorporate the President, Directors and Company of the Troy City Bank. The committee rose without taking any report.

The committee, Mr. Macdonald in the chair, passed the bill for the prevention of frauds in the sale of oils. The 2d section declaring the test of pure sperm oil to be Southworth's ohmometer, was struck out. The bill was then ordered to a third reading.

IN ASSEMBLY.—Saturday, April 21.

Bills read a third time and passed:

Mr. Arnold called for the question on the final passage of the bill to incorporate the Commercial Bank in the city of New-York. The bill was lost, ayes 78, noes 26.

Mr. Hughston called for the question on the final passage of the bill to incorporate the Delaware County Bank. It was carried, ayes 93, noes 12.

Mr. Hammond called for the bill to amend the charter of the Mechanics' and Traders' Bank in the city of New York. [Authorizes the company to locate an office of discount and deposit in the Seventh Ward.] Carried, ayes 92, noes 8.

Mr. Clark called for the question on the final passage of the bill to incorporate the Merchants' Bank at Buffalo. Lost, ayes 79, noes 19.

Mr. R. B. Miller called for the question on the final passage of the bill to incorporate the Oneida Bank. Lost, ayes 67, noes 7.

IN SENATE.—Saturday, 4 o'clock P. M.

On motion of Mr. Tallmadge, the Senate reconsidered their vote on agreeing to the report of the committee of the whole on the bill for the prevention of frauds in the sale of oils; and on his motion, the second section was restored, when it was again agreed to, and the bill ordered to a third reading.

The committee of the whole, took up the bill to incorporate the president, directors and company of the Chemung Canal Bank. The first section was carried, and the bill was ordered to a third reading.

The committee passed the bill to incorporate the president, directors and company of the Essex county bank, and it was ordered to a third reading. Adj.

IN SENATE.—April 23.

Mr. Allen, reported in favor of the Good Hope Marine Insurance company, in the city of New York.

Mr. Dodge introduced the following resolution, which was adopted to wit:

Resolved, That the Attorney General report at the commencement of the next session of the Legislature, his opinion of the construction of section 9th, Article 7th, of the Constitution of this State; and particularly, "whether an act of incorporation can be repealed by a majority of the Legislature, or whether it requires two-thirds of all the members elected to repeal it?"

Bills passed.—To extend the charter of the New York coal company, and the change the name thereof.

Mr. Edmonds called for the ayes and noes on this bill, and the bill passed, ayes 23, noes 5.

To incorporate the Chemung Canal Bank. Lost, ayes 20, noes 8.

To incorporate the Essex County Bank.

To incorporate the Brooklyn and Jamaica rail-road company.

To incorporate the Otsego and Schoharie Rail-road company.

To incorporate Good Hope Insurance company, in the city of New York—ayes 26, no 1.

The committee entered upon the bill to incorporate the Ulster and Dutchess Bank; and on motion of Mr. Edmonds, the first section was rejected, and the bill was of course lost.

The Assembly returned the bill to incorporate the city of Rochester, informing the Senate that they had non-concurred in the amendments, made to said bill in the Senate.

Mr. Edmonds moved that the Senate adhere to their amendments.

Mr. Tracy called for a division of the question. He moved an adherence to all the amendments, except that which takes away the election of the justices of the peace from the people. This motion prevailed.

Mr. Edmonds then moved an adherence to the amendment relative to Justices of the Peace.

Mr. Tracy called for the ayes and noes on this motion, and it was carried,—ayes 17, noes 8.

Mr. Edmonds then moved that the committee of

conference be appointed to confer with a like committee from the Assembly, with a view to remove the difficulties between the two houses. This motion was adopted.

The committee passed the bill to amend the act to incorporate the Eastern Dispensary of the city of New York; and the bill to amend the charter of the college of Pharmacy in the city of New York.

Mr. Sherman in the chair, the committee entered upon the bill for the relief of Frederick Barnum and another.

Messrs. Bronson, Tracy, Seward and Westcott, and Fisk supported the bill. It finally passed the committee, 13 rising in favor, and the Senate adjourned.

IN ASSEMBLY.

Bills read a third time and passed.—To impose a tax on dogs in the counties of Richmond, Rockland and Westchester.

Altering the time of electing Representatives to the 23d Congress.

The question upon agreeing with the Senate, in its amendments to the bill incorporating the City of Rochester was called for, and they were rejected, as follows: Ayes 61, Noes 35.

To incorporate the Auburn and Canal Rail-road.

To incorporate the Schuylerville and Saratoga Rail-road Company.

To incorporate the Poughkeepsie Manufacturing Company—laid on the table.

To extend the charter of the Alleghany Coal Co.

To incorporate the New York State Agricultural Society.

The committee of the whole renewed the consideration of the bill providing for the sale of lands sold for taxes in the counties where such lands are situated.

Mr. Granger made an animated appeal in favor of the bill. He pointed out, in a clear and conclusive manner, the evils of the present system of selling lands for taxes.

Mr. Stilwell opposed the bill till the hour of adjournment, when the committee rose and reported. The bill was subsequently lost.

Tuesday, April 24—IN SENATE.

Mr. Edmonds called for the ayes and noes, on agreeing with the report of the committee of the whole on the *Brewers' Bank* in the city of Albany, which was against the bill.

Mr. Allen then called for the question on the report of the committee relative to the *Troy City Bank*. On this bill the committee had reported progress; and the question of granting leave to sit again was laid on the table. The question therefore was on granting leave to sit again.

Mr. Edmonds moved to lay this question on the table, till the first day of December next. This motion prevailed 21 to 5.

Bills passed.—To incorporate the Eastern Dispensary of the city of New York.

To incorporate the Oswego Rail-road company.

To amend the charter of the college of Pharmacy in the city of New York.

To incorporate the Fish House and Amsterdam Rail-road company.

The President announced his intention of taking leave of the Senate to-morrow, and left the chair.

Mr. Tallmadge then took the chair as president pro tem.

The further consideration of the bill to incorporate the Sacketts Harbor Bank was indefinitely postponed.

IN ASSEMBLY.

Bills read a third time and passed.—To build a bridge across the Genesee River at North Rochester.

To incorporate the Atlas Insurance company of the city of New York.

To incorporate the Utica and Susquehanna Rail-road company.

To incorporate a Rail-road company from Troy to Schenectady, lost—ayes 73, noes 25.

A motion to reconsider the vote rejecting the Troy and Schenectady Rail-road bill, was made and lost—ayes 70, noes 30.

The bill to incorporate the Poughkeepsie Savings Bank, passed—ayes 92.

The House concurred in amendments of the Senate to the bills

Regulating suits on bills of exchange and promissory notes.

To incorporate the East New York manufacturing company.

To amend the charter of the New York Orphan Asylum.

To incorporate the Oneida and Oswego Rail-road company—laid on the table. Adjourned.

IN SENATE—Wednesday, April 25.

His Honor the Lieut. Governor being absent, the Senate was called to order by the Clerk, and proceeded to appoint a President pro tem. On counting the ballots it appeared that the Hon. N. P. Tallmadge had 17 votes. Mr. T. was thereupon declared duly elected President pro tem., and having been conducted to the chair by Messrs. M'Lean and Fisk, addressed the Senate.

On motion of Mr. Allen,

Resolved, That the Attorney-General prepare a bill embracing the suggestions in his report of the 11th April, 1832, on the subject of the tax on incorporated companies; and that he report such bill to the Legislature at their next session.

To incorporate the society of Mechanics and Manufacturers of the county of Kings.

To amend the act to incorporate the trustees of St. Mary's Church, in the city of N. York, ayes 29.

The committee of the whole passed the bill to incorporate the New York Marble Cemetery.

The committee rose and reported on the bill for the relief of Philip Schuyler and others. This bill related to the construction and repairing of fences, by the state, along the canal; and on motion of Mr. Edmonds, a resolution was adopted referring the bill to the canal board to report thereon, and on the subject generally, to the next legislature.

Mr. Bronson, from the Committee on Finance, reported a bill relative to the stock issued to John Jacob Astor. [Authorizes the stock to be transferred in the city of New York, in the same manner as the other state stocks are transferable.] The bill was read twice, and ordered to be engrossed for a third reading.

IN ASSEMBLY.

The house concurred with the senate's amendments to the bill: To amend the charter of the College of Pharmacy in the city of New York.

The bill providing for the payment of certain officers and expenses of government, was read a third time and passed.

On motion of Mr. Van Duzer, the bill concerning the court for the correction of errors, was re-committed, and the House resolved itself into a committee of the whole, Mr. Angel in the chair. [Authorizes the court to hold their session during the recess, either in the cities of New York or Albany, at the discretion of the court.] An amendment authorizing the court to sit at the Academy in the city of Utica, also another limiting the operation of the act to two years, were passed; and the committee rose and reported. Mr. Remer moved to amend the report by striking out the first section; the motion was lost—ayes 19, noes 79.

Mr. Seymour called up the concurrent resolution suspending a joint rule of both houses for the purpose of transmitting the supply bill to the Senate for their concurrence; which after being amended so as to include the bill to carry more fully into effect the act to abolish imprisonment for debt, passed.

The house resolved itself into a committee of the whole on the last mentioned bill. Mr. Salisbury moved to amend the report of the committee by striking out the second section, making judgments under \$25 a lien on real estate, under certain regulations; the motion was lost, the report agreed to, and the bill ordered to be engrossed for a third reading.

The committee of conference appointed to confer on the amendments of the Senate to the bill to incorporate the City of Rochester, reported by recommending a concurrence in all the amendments except in that relating to the appointment of justices of the peace, and that on that subject the committee could not agree. The report was laid on the table and the house adjourned.

Thursday, April 26.

ADJOURNMENT OF THE LEGISLATURE.

The legislature of this state adjourned this day between 12 and 1 o'clock, after a session of 117 days.—We give the concluding proceedings below.

The session has been one of diligence and labor. Although few acts of public importance have been passed, the diversified interests of our local legislation have fully occupied the time of members in the house, and of committees during the hours of recess. The whole number of bills upon the general orders of both houses, was about 700; of these 332 have been passed into laws.

Among the acts of incorporation, there are twenty-five for Rail-roads in various sections of the state: among which are two of very large capitals, viz one from the city of New-York to Lake Erie, through the southwestern counties, and the other from New York to Albany, on the east side of the Hudson.—Seven charters for banks were granted, to be located at Brooklyn, Bath, Rome, Schenectady, Salina, Keosauqua, and the Leather Manufacturers' at New York. Utica and Buffalo were incorporated as cities. The bill to postpone the election of members of congress, is a matter of public importance; as is also

that reducing the fees for the inspection of flour, and the bill regulating the measuring of grain.—[Argus, Extra.]

Appointments made by the Senate on the nomination of the Governor, Friday, April 13.

New York—Reuben Spencer, commissioner of deeds in the place of Eugene Van Ness, resigned.

Queens co.—Obadiah P. Leech, auctioneer.

Kings—Peter Conover, John H. Jackson, Wm. R. Dean, James Maxwell, Thomas C. Kirk, Daniel McPherson and Wm. Conselyea, jr. auctioneers.

REPORT ON THE PUBLIC LANDS.

IN SENATE OF THE U. STATES—Monday, April 16.

Mr. CLAY, from the Committee on Manufactures, made, to the Senate, the following report:

The Committee on Manufactures have been instructed by the Senate, to inquire into the expediency of reducing the price of public lands, and of ceding them to the several States within which they are situated, on reasonable terms. Far from desiring to assume the duty involved in this important inquiry, it is known to the Senate that a majority of the committee was desirous that the subject should have been referred to some other committee. But, as the Senate took a different view of the matter, the Committee on Manufactures have felt bound to acquiesce in its decision; and, having bestowed on the whole subject the best consideration in their power, now beg leave to submit to the Senate the result of their inquiries and reflections.

The public lands belonging to the General Government are situated, 1st, within the limits of the U. States, as defined by the treaty of peace which terminated the revolutionary war; and, 2dly, within the boundaries of Louisiana and Florida, as ceded by France and Spain, respectively, to the U. States.

1st. At the commencement of the revolutionary war, there were, in some of the States, large bodies of waste and unappropriated lands, principally west of the Alleghany mountains, and in the southern or southwestern quarters of the Union, whilst in others, or more circumscribed or better defined limits, no such resources existed. During the progress of that war, the question was agitated what should be done with these lands in the event of its successful termination? That question was likely to lead to paralyzing divisions and jealousies. The States not containing any considerable quantity of waste lands, contended that as the war was waged with united means, with equal sacrifices, and at the common expense, the waste lands ought to be considered as a common property, and not be exclusively appropriated to the benefit of the particular States within which they happened to be situated. These, however, resisted the claim, upon the ground that each State was entitled to the whole of the territory, whether waste or cultivated, included within its chartered limits. To check the progress of discontent, and avert the serious consequences to which the agitation of this question might lead, Congress recommended to the States to make liberal cessions of the waste and unceded lands to the United States, and on the 10th day of October, 1780, "Resolved, That the unappropriated lands that may be ceded or relinquished to the United States, by any particular State, pursuant to the recommendation of congress, of the 6th of September last, shall be disposed of for the common benefit of the United States," &c.

In conformity with the recommendation of Congress, the several States containing waste and un-cultivated lands, made cessions of them to the United States. The declared object having been substantially the same in all of these cessions, it is only necessary to advert to the terms of some of them.—The first, in order of time, was that of New York, made on the 1st day of March, 1781, by its delegation in Congress, in pursuance of an act of the Legislature of the State; and the terms of the deed of cession expressly provide that the ceded lands and territories were to be held, "to and for the only use and benefit of such of the states as are, or shall become parties to the articles of confederation." That of Virginia was the next in date, but by far the most important of all the cessions made by the different States, both as respects the extent and value of the country ceded. It comprehended the right of that commonwealth to the vast territory northwest of the river Ohio, embracing, but not confined to the limits of the present States of Ohio, Indiana, and Illinois. The deed of cession was executed by the delegation of Virginia in Congress, in 1784, agreeably to an act of the Legislature passed in 1783, and, among other conditions, the deed explicitly declares, "that all the lands within the territory so ceded to the United States, and not reserved for or appropriated

to any of the before mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered a common fund for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance of the said States, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever." Passing by the cessions with other States, prompted by a magnanimous spirit of union and patriotism successively made, we come to the last in the series, that of Georgia in 1802. The articles of agreement and cession entered into between that State and the United States, among various other conditions, contain the unequivocal declaration "that all the lands ceded by this agreement to the United States shall, after satisfying the abovementioned payment of one million two hundred and fifty thousand dollars to the State of Georgia, and the grants recognized by the preceding conditions, be considered as a common fund for the use and benefit of the United States, Georgia included, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever."

Thus, by the clear and positive terms of these acts of cession, was a great, public, national trust, created and assumed by the General Government. It became solemnly bound to hold and administer the lands ceded, as a common fund for the use and benefit of all the States, and for no other use or purpose whatever. To waste or misapply this fund, or to divert it from the common benefit for which it was conveyed, would be a violation of the trust. The General Government has no more power, rightfully, to cede the lands, thus acquired, to one of the new States, without a fair equivalent, than it could retrocede them to the State or States from which they were originally obtained. There would indeed be much more equity in the latter than in the former case. Nor is the moral responsibility of the General Government at all weakened by the consideration that, if it were so unmindful of its duty as to disregard the sacred character of the trust, there might be no competent power, peacefully applied, which could coerce its faithful execution.

The other source whence the public lands of the United States have been acquired, are, 1st, the treaty of Louisiana, concluded in 1802; and 2dly, the treaty of Florida, signed in 1819. By the first, all the country west of the Mississippi, and extending to the Pacific ocean, known as Louisiana, which had successively belonged to France, Spain and France again, including the island of New Orleans, and stretching east of the Mississippi to the Perdido, was transferred to the United States, in consideration of the sum of fifteen millions of dollars, which they stipulated to pay, and have since punctually paid, to France, besides other conditions deemed favorable and important to her interests. By the treaty of Florida, both the provinces of East and West Florida, whether any portion of them was or was not ceded to the United States in consideration, besides other things, of the payment of five millions of dollars which they agreed to pay, and have since accordingly paid.

The large pecuniary considerations thus paid to these two foreign powers, were drawn from the Treasury of the people of the United States, and consequently, the countries for which they formed the equivalents, ought to be held and deemed for the common benefit of all the people of the United States. To divert the lands from that general object; to misapply or sacrifice them; to squander, or imprudently cast them away, would be alike subversive of the interests of the people of the U. States, and contrary to the plain dictates of the duty by which the General Government stands bound to the States and to the whole people.

Prior to the treaties of Louisiana and Florida, Congress had adopted a system for surveying and selling the public lands, devised with much care and great deliberation, the advantages of which having been fully tested by experience, it was subsequently applied to the countries acquired by those treaties. According to that system, all public lands offered for sale are previously accurately surveyed, by skillful surveyors, in ranges of townships of six miles square each, which townships are subdivided into thirty-six equal divisions or square miles, called sections, by lines crossing each other at right angles, and generally containing 3640 acres. These sections are again divided into quarters, and prior to the year 1820 no person could purchase a less quantity than a quarter. In that year, provision was made for the farther division of the sections into eighths, thereby allowing a purchaser to buy only eighty acres, if he

wished to purchase no more. During the present session of Congress, further to extend accommodation to the purchasers of the public lands, and especially to the poorer classes, the sections have been again divided into sixteenths, admitting a purchase of only 40 acres.

This uniform system of surveying and dividing the public lands applies to all the States and Territories within which they are situated. Its great advantages are manifest. It ensures perfect security of title, and certainty of boundary, and consequently avoids those perplexing land disputes, the worst of all species of litigation, the distressing effects of which have been fatally experienced in some of the western States. But these are not the only advantages, great as they unquestionably are. The system lays the foundation of useful civil institutions, the benefit of which is not confined to the present generation, but will be transmitted to posterity.

Under the operation of the system thus briefly sketched, the progress of the settlement and population of the public domain of the United States has been altogether unexampled. Views which the committee will hereafter present, conclusively demonstrate that, whilst the spirit of free emigration should not be checked or counteracted, it stands in no need of any fresh stimulus.

Before proceeding to perform the specific duty assigned to the committee by the Senate, they had thought it desirable to exhibit some general views of this great national resource. For that purpose, a call, through the Senate, for information, has been made upon the Executive branch of the government. A report has not yet been made; but, as the committee are desirous of avoiding any delay not altogether indispensable, they have availed themselves of a report from the Secretary of the Treasury to the House of Representatives, under date of 6th April, 1832, hereto annexed, marked A, and of such other information as was accessible to them.

From that report it appears that the aggregate of all sums of money which have been expended by the United States, in the acquisition of the public lands, including interest on account of the purchases of Louisiana and Florida, up to the 30th September, 1831, and including, also, expenses in their sale and management, is \$48,077,551 40; and that the amount of money received at the Treasury, for proceeds of the sales of the public lands to the 30th September, 1831, is \$37,272,713 31. The Government, therefore, had not been reimbursed by \$10,804,838 910ths. According to the same report, it appears that the estimated amount of unsold lands, on which the foreign and Indian titles have been extinguished, is 227,293,884, within the limits of the new States and Territories; and that the Indian title remains on 113,577,869 acres within the same limits; that there have been granted to Ohio, Indiana, Illinois and Alabama, for internal improvements, 2,187,665 acres; for colleges, academies and universities, in the new States and Territories, the quantity of 508,009, for education, being the thirty-sixth part of the public lands appropriated for common schools, the amount of 7,952,538 acres; and for seats of government in some of the new States and Territories, 21,589 acres. By a report of the Commissioner of the General Land Office, communicated to congress with the annual message of the President of the United States, in December, 1827, the total quantity of the public lands beyond the boundaries of the new States and Territories, was estimated to be 750,000,000. The aggregate, therefore, of all the unsold and unappropriated public lands of the United States, surveyed and unsurveyed, on which the Indian title remains or has been extinguished, lying within and without the boundaries of the new States and Territories, agreeably to the two reports now referred to, is 1,090,871,753 acres. There had been 138,988,224 acres surveyed, and the quantity only of 18,239,412 acres sold up to the 1st January, 1826. When the information called for shall be received, the subsequent surveys and sales, up to the present period, will be ascertained.

The committee are instructed by the Senate to inquire into the expediency of reducing the price of the public lands, and, also, of ceding them to the several States in which they are situated, on reasonable terms. The committee will proceed to examine these two subjects of inquiry distinctly, beginning first with that which relates to a reduction of price.

1. According to the existing mode of selling the public lands, they are first offered at public auction for what they will bring in a free and fair competition among the purchasers; when the public sales cease, the lands remaining unsold, may be bought from time to time, at the established rate of one dollar and a quarter per acre. The price was reduced to that sum, in 1820, from two dollars per acre, at

which it had previously stood from the first establishment of the present system of selling the public lands. A leading consideration with Congress in the reduction of the price, was that of substituting cash sales for the credits which had been before allowed, and which, on many accounts, it was deemed expedient to abolish. A further reduction of the price, if called for by the public interests, must be required, either, 1st. Because the government now demands more than a fair price for the public lands; or, 2dly. Because the existing price retards, injuriously, the settlement and population of the new States and Territories. These suggestions deserve separate and serious consideration.

1. The Committee possess no means of determining the exact value of all the public lands now in market, nor is it material, at the present time, that the precise worth of each township or section should be accurately known. It is presumable that a considerable portion of the immense quantity offered to sale, or held by the United States, would not now command, and may not be intrinsically worth the minimum price fixed by law; on the other hand it is certain that a large part is worth more. If there could be a discrimination made, and the government had any motive to hasten the sales beyond the regular demands of the population, it might be proper to establish different rates, according to the classes of land; but the government having no inducement to such acceleration, has hitherto proceeded on the liberal policy of establishing a moderate price, and by subdivisions of the sections so as to accommodate the poorer citizens, has placed the acquisition of a home within the reach of every industrious man. For one hundred dollars any one may now purchase eighty, or for fifty dollars, forty acres of first rate land, yielding, with proper cultivation, from fifty to eighty bushels of Indian corn, per acre, or other equivalent crops.

There is no more satisfactory criterion of the fairness of the price of an article, than that arising from briskness of sales when it is offered in the market. On applying this rule, the conclusion would seem to be irresistible, that the established price is not too high. The amount of the sales in the year 1828, was \$1,018,308 75; in 1829, \$1,517,175 13; in 1830, \$2,329,356 14, and, during the year 1831, \$3,000,000. And the Secretary of the Treasury observes in his annual report, at the commencement of this session, that "the receipts from the public lands, during the present year, it will be perceived, have likewise exceeded the estimate, and, indeed, have gone beyond all former example. It is believed that, notwithstanding the large amount of scrip and forfeited land stock that may still be absorbed in payment for lands, yet if the surveys now projected, be completed, the receipts from this source of revenue will not fall greatly below those of the present year." And he estimates the receipts during the current year, from this source, at three millions of dollars. It is incredible to suppose that the amount of sales would have risen to so large a sum, if the price had been unreasonably high. The committee are aware that the annual receipts may be expected to fluctuate, as fresh lands, in favorite districts, are brought into market, and according to the activity or sluggishness of emigration in different years.

Against any considerable reduction of the price of the public lands, unless it be necessary to a more rapid population of the new States, which will be hereafter examined, there are weighty, if not decisive considerations:

1. The Government is the proprietor of much the largest quantity of unsold lands of the United States. What it has in market, bears a large proportion to the whole of the occupied lands within their limits. If a considerable quantity of any article, land, or any commodity whatever, in market, the price at which it is sold will affect, in some degree, the value of the whole of that article, whether exposed to sale or not. The influence of a reduction of the price of the public lands would probably be felt throughout the Union; certainly in all the western States, and most in those which contain, or are nearest to, the public lands. There ought to be the most cogent and conclusive reasons for adopting a measure which might seriously impair the value of the property of the yeomanry of the country. Whilst it is decidedly the most important class in the community, most patient, patriotic, and acquiescent in whatever public policy is pursued, it is unable or unwilling to resort to those means of union and concert which other interests employ to make themselves heard and respected. Government should, therefore, feel itself constantly bound to guard, with sedulous care, the rights and welfare of the great body of our yeomanry. Would it be just towards those who have heretofore purchased public lands at high

er prices, to say nothing as to the residue of the agricultural interest of the United States, to make such a reduction, and thereby impair the value of their property? Ought not any such plan of reduction, if adopted, to be accompanied with compensation for the injury which they would inevitably sustain?

2. A material reduction of price would excite and stimulate the spirit of speculation, now dormant and probably lead to a transfer of vast quantities of the public domain from the control of Government to the hands of the speculator. At the existing price, and with such extensive districts as the public constantly offers in the market, there is no great temptation to speculation. The demand is regular, keeping pace with the progress of emigration, and is supplied on known and moderate terms. If the price were much reduced, the strongest incentives to engrossment of the better lands would be presented to large capitalists; and the emigrant, instead of being able to purchase from his own Government upon uniform and established conditions, might be compelled to give much higher and more fluctuating prices to the speculator. An illustration of this effect is afforded by the military bounty lands granted during the late war. Thrown into the market at prices below the Government rate, they notoriously became an object of speculation, and have principally fallen into the hands of speculators, retarding the settlement of the districts which include them.

3. The greatest emigration that is believed now to take place from any of the States, is from Ohio, Kentucky, and Tennessee. The effects of a material reduction in the price of the public lands, would be, 1st. To lessen the value of real estate in those three States. 2d. To diminish their interest in the public domain, as a common fund for the benefit of all the States. And, 3dly. To offer what would operate as a bounty to further emigration from those States, occasioning more and more lands, situated within them, to be thrown into the market, thereby not only lessening the value of their lands, but draining them both of their population and currency.

And, lastly, Congress has, within a few years, made large and liberal grants of the public lands to several States. To Ohio, 922,937 acres; to Indiana, 384,728 acres; to Illinois, 480,000 acres; and to Alabama, 400,000 acres; amounting, together, to 2,187,665 acres. Considerable portions of these lands yet remain unsold. The reduction of the price of the public lands, generally, would impair the value of these grants, as well as injuriously affect that of the lands which have been sold in virtue of them.

On the other hand, it is inferred and contended, from the large amount of public land remaining unsold, after having been so long exposed to sale, that the price at which it is held is too high. But this apparent tardiness is satisfactorily explained by the immense quantity of public lands which have been put into the market by Government. It is well known that the new States have constantly and urgently pressed the extinction of the Indian title upon lands within their respective limits; and, after its extinction, that they should be brought into market as rapidly as practicable. The liberal policy of the General Government, coinciding with the wishes of the new States, has prompted it to satisfy the wants of emigrants from every part of the Union, by exhibiting vast districts of land for sale, in all the States and Territories, thus offering every variety of climate and situation to the free choice of settlers. From these causes, it has resulted that the power of emigration has been totally incompetent to absorb the immense bodies of waste lands offered in the market. For the capacity to purchase is, after all, limited by the emigration, and the progressive increase of population. If the quantity thrown into the market had been quadrupled, the probability is that there would not have been much more annually sold than actually has been. With such extensive fields for selection before them, purchasers, embarrassed as to the choice which they should make, are sometimes probably influenced by caprice or accidental causes. Whilst the better lands remain, those of secondary value will not be purchased. A judicious farmer or planter would sooner give one dollar and a quarter per acre for first rate land, than receive as a donation land of inferior quality, if he were compelled to settle upon it.

It is also contended that the price of the public land is a tax; and that, at a period when, in consequence of the payment of the public debt, and the financial prosperity of the United States, the Government is enabled to dispense with revenue, that tax ought to be reduced, and the revenue arising from the sales be thereby diminished. In the first

place, it is to be observed, that if, as has been before stated, the reduction of the price of the public lands should stimulate speculation, the consequence would probably be, at least for some years, an augmentation of the revenue from that source. Should it have the effect of speculation supposed, it would probably also retard the settlement of the new states, by placing the lands engrossed by speculators, in anticipation of increased value, beyond the reach of emigrants. If it were true that the price demanded by Government operated as a tax, the question would still remain whether that price exceeded the fair value of the land which emigrants are in the habit of purchasing? and, if it did not, there would be no just ground for its reduction. And assuming it to be a tax, it might be proper to inquire who pays the tax—the new or the old states?—the states that send out, or the states that receive the emigrants? In the next place, regarded as a tax, those who have heretofore made purchases at the higher rate, have already paid the tax, and are as much deserving the equitable consideration of the Government as those who might hereafter be disposed to purchase at the reduced rate. It is proper to add that, by the repeal and reduction contemplated of duties upon articles of foreign import, subsequent purchasers of the public lands, as far as they are consumers of those articles, will share in the general relief, and will consequently be enabled to apply more of their means to the purchase of land.

But in no reasonable sense can the sale of the public lands be considered as the imposition of a tax. The Government, in their disposal acts as a trustee for the whole people of the United States, and, in that character, holds and offers them in the market. Those who want them, buy them, because it is their inclination to buy them. There is no compulsion in the case. The purchase is perfectly voluntary, like that of any other article which is offered in the market. In making it, the purchaser looks exclusively to his own interest. The motive of augmenting the public revenue, or any other motive than that of his own advantage, never enters into his consideration. The Government, therefore, stands to the purchaser in the relation merely of the vendor of a subject which the purchaser's own welfare prompts him to acquire; and, in this respect does not vary from the relation which exists between any private vendor of waste lands, and the purchaser from him. Nor does the use to which the Government may think proper to apply the proceeds of the sale of the public lands give the smallest strength to the idea that the purchase of them is tantamount to the payment of a tax. The Government may employ those proceeds as a part of its ordinary revenue, or it may apply them in any other manner, consistent with the constitution, which it deems proper. There may be revenue without taxation. Revenue and taxation are not always relative terms. There may be taxation without revenue. There may be sources of established revenue which not only do not imply, but which supersede, taxation. Is the consideration paid for land to a private individual to be deemed a tax, because that individual may happen to use it as a part of his income?

2. Is the reduction of the price of the public lands necessary to accelerate the settlement and population of the states within which they are situated? Those States are Ohio, Indiana, Illinois, Missouri, Alabama, Mississippi and Louisiana. If their growth has been unreasonably slow and tardy, we may conclude that some fresh impulse, such as that under consideration, is needed. Prior to the treaty of Greenville, concluded in 1795, there were but few settlements within the limits of the present state of Ohio. Principally since that period, that is, within a term of about forty years, that State, from a wilderness, the haunt of savages and wild beasts, has risen into a powerful commonwealth, containing, at this time, a population of a million of souls, and holding the third or fourth rank among the largest States in the Union. During the greater part of that term, the minimum price of the public lands was two dollars per acre; and of the large quantity with which the settlement of that State commenced, there only remains to be sold 5,586,834 acres.

The aggregate population of the United States, exclusive of the Territories, increased from the year 1830 to 1839, from 9,579,873 to 12,716,697. The rate of the increase, during the whole term of ten years, including a fraction, may be stated at thirty-three per cent. The principle of population is presumed to have full scope generally in all parts of the United States. Any State, therefore, which has exceeded or fallen short of that rate, may be fairly assumed to have gained or lost, by emigration, nearly to the extent of the excess or deficiency.—From a table accompanying this report, (marked

B.) the Senate will see presented various interesting views of the progress of population in the several States. In that table, it will be seen, that each of eleven States exceeded, and each of thirteen fell short of, an increase at an average rate of thirty-three per cent. The greatest increase, during the term, was in the State of Illinois, where it was one hundred and eighty-five per cent, or at the rate of 18 1-2 per cent. per annum; and the least was in Delaware, where it was less than six per cent. The seven States embracing the public lands had a population, in 1820, of 1,207,165, and, in 1830, 2,238,802, exhibiting an average increase of 85 per cent. The seventeen States containing no part of the public lands, had a population, in 1820, of 8,372,707, and, in 1830, of 10,477,895, presenting an average increase of only 25 per cent. The thirteen States, whose increase, according to the table, was below 33 per cent, contained, in 1820, a population of 5,939,759, and, in 1830, of 6,966,600, exhibiting an average increase of only seventeen per cent. The increase of the seven new States upon a capital which, at the commencement of the term, was 1,207,165, has been greater, than that of the thirteen whose capital then was 5,939,759. In three of the eleven States, (Tennessee, Georgia, and Maine,) whose population exceeded the average increase of 33 per cent, there were public lands belonging to those States; and in the fourth, (New York,) the excess is probably attributable to the rapid growth of the city of New York, to wastelands in the western part of that State, and to the great development of its vast resources by means of extensive internal improvements.

These authentic views of the progress of population in the seven new States, demonstrate that it is most rapid and gratifying; that it needs no such additional stimulus as a further reduction in the price of the public lands; and that, by preserving and persevering in the established system for selling them, the day is near at hand when those States, now respectable, may become great and powerful members of the Confederacy.

Complaints exist in the new states, that large bodies of lands in their respective territories, being owned by the General Government, are exempt from taxation to meet the ordinary expenses of the State Governments, and other local charges; that this exemption continues for five years after the sale of any particular tract; and that land, being the principal source of the revenue of those States, an undue share of the burthen of sustaining the expenses of the State Governments falls upon the resident population. To all these complaints, it may be answered that, by voluntary compacts between the new states respectively, and the General Government, five per cent. of the net proceeds of all the sales of the public lands, included within their limits, are appropriated for internal improvements, leading to or within those states; that a section of land in each township, or one-thirty-sixth part of the whole of the public lands embraced within their respective boundaries, has been reserved for purposes of education; and that the policy of the General Government has been uniformly marked by great liberality towards the new States, in making various and some very extensive grants of the public lands for local purposes. But, in accordance with the same spirit of liberality, the committee would recommend an appropriation to each of the seven States referred to, of a further sum of ten per cent. on the net proceeds of the sales of that part of the public land which lies within it, for objects of internal improvement in their respective limits. The tendency of such an appropriation will be not only to benefit those States, but to enhance the value of the public lands remaining to be sold.

II. The committee have now to proceed to the other branch of the inquiry which they were required to make, that of the expediency of ceding the public lands to the several States in which they are situated, on reasonable terms. The inquiry comprehends, in its consequences, a cession of the whole public domain of the United States, whether lying within or beyond the limits of the present States and Territories. For, although in the terms of the inquiry, it is limited to the new States, cessions to them would certainly be followed by similar cessions to other new States, as they may, from time to time, be admitted into the Union. Three of the present territories have nearly attained the requisite population entitling them to be received as members of the Confederacy, and they shortly will be admitted. Congress could not consistently avoid ceding to them the public lands within their limits, after having made such cessions to the other States. The compact with the State of Ohio formed the

model of compacts with all the other new States as they were successively admitted.

Whether the question of a transfer of the public lands be considered in the limited, or more extensive view of which has been stated, it is one of the highest importance, and demanding the most deliberate consideration. From the statements founded on official reports, made in the preceding part of this report, it has been seen that the quantity of unsold and unappropriated lands lying within the limits of the new States and Territories, is 340,871,753 acres, and the quantity beyond those limits is, 750,000,000 presenting an aggregate of 1,090,871,753 acres. It is difficult to conceive a question of greater magnitude than that of relinquishing this immense amount of national property. Estimating its value according to the minimum price, it presents the enormous sum of 1,363,585,691 dollars. If it be said that a large portion of it will never command that price, it is to be observed, on the other hand, that, as fresh lands are brought into market, and exposed to sale at public auction, many of them sell at prices exceeding one dollar and a quarter per acre.—Supposing the public lands to be worth, on the average, half the minimum price, they would still present the immense sum of 681,794,845 dollars. The least favorable view which can be taken of them, is that of considering them a capital yielding, at present, an income of 3,000,000 dollars annually. Assuming the ordinary rate of six per cent. interest per annum, as the standard to ascertain the amount of that capital, it would be \$50,000,000. But this income has been progressively increasing. The average increase during the last six years has been at the rate of twenty-three per cent. per annum. Supposing it to continue in the same ratio, at the end of a little more than four years the income would be doubled, and make the capital 100,000,000 of dollars. Whilst the population of the United States increases only three per cent. per annum, the increase of the demand for the public lands is at the rate of 23 per cent., furnishing another evidence that the progress of emigration, and the activity of sales, have not been checked by the price demanded by Government.

In whatever light, therefore, this great subject is viewed, the transfer of the public lands from the whole people of the United States, for whose benefit they are now held, to the people inhabiting the new States, must be regarded as the most momentous measure ever presented to the consideration of Congress. If such a measure could find any justification, it must arise out of some radical and incurable defect in the construction of the General Government properly to administer the public domain. But the existence of any such defect is contradicted by the most successful experience. No branch of the public service has evinced more system, uniformity and wisdom, or given more general satisfaction, than that of the administration of the public lands.

If the proposed cession to the new States were to be made at a fair price, such as the General Government could obtain from individual purchasers under the present system, there would be no motive for it, unless the new States are more competent to dispose of the public lands than the common Government. They are now sold under one uniform plan, regulated and controlled by a single legislative authority, and the practical operation is perfectly understood. If they were transferred to the new States, the subsequent disposition would be according to laws emanating from various legislative sources. Competition would probably arise between the new States in the terms which they would offer to purchasers. Each State would be desirous of inviting the greatest number of emigrants, not only for the laudable purpose of populating rapidly its own territories, but with the view to the acquisition of funds to enable it to fulfil its engagements to the General Government. Collisions between the States would probably arise, and their injurious consequences may be imagined. A spirit of hazardous speculation would be engendered. Various schemes in the new States would be put afloat to sell or divide the public lands. Companies and combinations would be formed in this country, if not in foreign countries, presenting gigantic and tempting, but delusive projects; and the history of legislation, in some of the States of the Union, admonishes us that a too ready ear is sometimes given by a majority, in a legislative assembly, to such projects.

A decisive objection to such a transfer for a fair equivalent, is, that it would establish a new and dangerous relation between the General Government and the new States. In abolishing the credit which had been allowed to purchasers of the public lands, prior to the year 1820, Congress was principally governed by the consideration of the inexpediency and hazard of

accumulating a large amount of debt in the new States all bordering on each other. Such an accumulation was deemed unwise and unsafe. I presented a new bond of interest, of sympathy, and of union, partially operating to the possible prejudice of the common bond of the whole Union. But that debt was a debt due from individuals, and it was attended with this encouraging security, that purchasers, as they successfully completed the payments for their lands, would naturally be disposed to aid the Government in enforcing payment from delinquents. The project, which the committee are now considering, is to sell to the States, in their sovereign character, and, consequently, to render them public debtors to the General Government, an immense amount. This would inevitably create between the debtor States a common feeling, and a common interest, distinct from the rest of the Union.—These States are all in the western and southwestern quarter of the Union, remotest from the centre of Federal power. The debt would be felt as a load from which they would constantly be desirous to relieve themselves; and it would operate as a strong temptation, weakening if not dangerous, to the existing confederacy. The committee have the most animating hopes, and the greatest confidence in the strength and power and durability of our happy Union; and the attachment and warm affection of every member of the confederacy cannot be doubted; but we have authority higher than human, for the instruction, that it is wise to avoid all temptation.

In the State of Illinois, with a population, at the last census, of 157,445, there are 31,395,969 acres of public land, including that part on which the Indian title remains to be extinguished. If we suppose it to be worth only half the minimum price, it would amount to \$19,622,480. How would that State be able to pay such an enormous debt? How could it pay even the annual interest upon it?

Supposing the debtor States to fail to comply with their engagements, in what mode could they be enforced by the General Government? In treaties between independent nations the ultimate remedy is well known. The apprehension of an appeal to that remedy, seconding the sense of justice and the regard for character which prevail among christian and civilized nations, constitutes, generally, adequate security for the performance of national compacts. But this last remedy would be totally inadmissible in case of delinquency on the part of debtor States. The relations between the General Government and the members of the confederacy, are happy those of peace, friendship, and fraternity, and exclude all idea of force and war. Could the judiciary coerce the debtor States? On what could their process operate? Could the property of innocent citizens, residing within the limits of those States, be justly seized by the General Government, and held responsible for debts contracted by the States themselves in their sovereign character? If a mortgage upon the lands ceded, were retained, that mortgage would prevent or retard subsequent sales by the States; and, if individuals bought, subject to the encumbrance, a parental Government could never resort to the painful measure of disturbing them in their possessions.

Delinquency on the part of the debtor States, would be inevitable, and there would be no effectual remedy for the delinquency. They would come, again and again to Congress, soliciting time and indulgence; until, finding the weight of the debt intolerable, Congress, wearied by reiterated applications for relief, would finally resolve to sponge the debt; or, if Congress attempted to enforce its payment, another and a worse alternative would be embraced.

If the proposed cession be made for a price merely nominal, it would be contrary to the express conditions of the original cessions from primitive States to Congress, and contrary to the obligations which the General Government stands under to the whole people of the United States, arising out of the fact that the acquisitions of Louisiana and Florida, and from Georgia, were obtained at a great expense, borne from the common treasure, and incurred for the common benefit. Such a gratuitous cession could not be made without a positive violation of a solemn trust, and without manifest injustice to the old States. And its inequality among the new States would be as marked as its injustice to the old would be indefensible. Thus, Missouri, with a population of 140,455, would acquire 38,291,152 acres; and the State of Ohio, with a population of 935,884, would obtain only 5,586,834 acres.—Supposing a division of the land among the citizens of those two States respectively, the citizen of Ohio could obtain less than six acres for his share, and the citizen of Missouri, upwards of two hundred and seventy two acres as his proportion.

Upon full and thorough consideration, the committee have come to the conclusion, that it is inexpedient either to reduce the price of public lands, or to cede them to the new States. They believe, on the contrary, that sound policy coincides with the duty which has devolved on the General Government to the whole of the States, and the whole of the people of the Union, and enjoin the preservation of the existing sys-

tem as having been tried and approved after long and triumphant experience. But, in consequence of the extraordinary financial prosperity which the United States enjoy, the question merits examination, whether, whilst the General Government steadily retains the control of this great national resource in its own hands, after the payment of the public debt, the proceeds of the sales of the public lands, no longer needed to meet the ordinary expenses of Government, may not be beneficially appropriated to some other objects for a limited time?

Governments, no more than individuals, should be seduced or intoxicated by prosperity, however flattering or great it may be. The country now happily enjoys it in a most unexampled degree. We have abundant reason to be grateful for the blessings of peace and plenty, and freedom from debt. But we must be forgetful of all history and experience, if we indulge the delusive hope that we shall always be exempt from calamity and reverses. Seasons of national adversity, of suffering, and of war, will assuredly come. A wise Government should expect, and provide for them. Instead of wasting or squandering its resources in a period of general prosperity, it should husband and cherish them for those times of trial and difficulty, which, in the dispensations of Providence, may be certainly anticipated. Eternating these views, and as the proceeds of the sales of the public lands are not wanted for ordinary revenue, which will be abundantly supplied from the imports, the committee respectfully recommend that an appropriation of them be made to some other purpose, for a limited time, subject to be resumed in the contingency of war. Should such an event unfortunately occur, the fund may be withdrawn from its peaceful destination, and applied in aid of other means, to the vigorous prosecution of the war, and, afterwards, to the payment of any debt which may be contracted in consequence of its existence.—And when peace shall be again restored, and the debt of the new war shall have been extinguished, the fund may be again appropriated to some fit object other than that of the ordinary expenses of government. Thus may this great resource be preserved and rendered subservient, in peace and in war, to the common benefit of all the States composing the Union.

The inquiry remains, what ought to be the specific application of the fund under the restriction stated?—After deducting the ten per cent. proposed to be set apart for the new States, a portion of the committee would have preferred that the residue should be applied to the objects of internal improvement, and colonization of the free blacks, under the direction of the General Government. But a majority of the committee believe it better, as an alternative for the scheme of cession to the new States, and as being most likely to give general satisfaction, that the residue be divided among the twenty four States, according to their federal representative population, to be applied to education, internal improvement, or colonization, or to the redemption of any existing debt contracted for internal improvements, as each State, judging for itself, shall deem most conformably with its own interests and policy. Assuming the annual product of the sales of the public lands to be three millions of dollars, the table hereto annexed, marked C, shows what each State would be entitled to receive, according to the principle of division, which has been stated. In order that the propriety of the proposed appropriation should again, at a day not very far distant, be brought under the review of Congress, the committee would recommend that it be limited to a period of five years, subject to the condition of war not breaking out in the mean time. By an appropriation so restricted as to time, each State will be enabled to estimate the probable extent of its proportion, and to adapt its measures of education, improvement, colonization, or extinction of existing debt, accordingly.

In conformity with the views and principles which the committee have now submitted, they beg leave to report the accompanying bill, entitled, "An act to appropriate for a limited time, the proceeds of the sales of the public lands of the United States."

A Bill to appropriate, for a limited time, the proceeds of the sales of the public lands of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the thirty first day of December next, there be allowed and paid to each of the States of Ohio, Indiana, Illinois, Alabama, Missouri, Mississippi, and Louisiana, over and above what each of the States is entitled to by the terms of the compacts entered into between them, respectively, upon their admission into the Union, and the United States, the sum of ten per centum upon the net amount of the sales of the public lands which, subsequent to the day aforesaid, shall be made within the several limits of the said States; which said sum of ten per centum shall be applied to some object or objects of internal improvement within the said States, under the direction of their respective Legislatures.

Sec. 2. And be it further enacted, That, after deducting the said ten per centum, and what, by the compact aforesaid, has hitherto been allowed to the States, aforesaid, the residue of the net proceeds of all the public lands of the United States, wherever situated, which shall be sold subsequent to the said thirty-first day of December next, shall be divided among the twenty-four States of the Union, according to their respective federal representative population, as ascertained by the last census, to be applied by the Legislatures of the said States to such objects of education, internal improvement, colonization, or reimbursement of any existing debt contracted for internal improvement, as the said Legislatures may severally designate and authorize.

Sec. 3. And be it further enacted, That the said several sums shall be paid at the Treasury of the United States, half yearly, to such person or persons as the respective Legislatures of the said States may authorize and direct.

Sec. 4. And be it further enacted, That this act shall continue and be in force for the term of five years from the said thirty-first day of December next, unless the United States shall become involved in war with any foreign Power; in which event, from the commencement of hostilities, this act shall cease, and be no longer in force: Provided, nevertheless, That if prior to the expiration of this act, any new State or States shall be admitted into the Union, the power is reserved of assigning, by law, to such new State or States, the proportion to which such State or States may be entitled, upon the principles of this act, and upon the principles of any of the compacts made as aforesaid with either of the seven States first mentioned.

C.
Statement showing the dividend of each State, (according to its federal population,) in the proceeds of the public lands, after deducting therefrom fifteen per cent. as an additional dividend for the States in which the public land is situated. Estimated proceeds of lands, \$3,000,000; deduct 15 per cent. \$450,000, and \$2,550,000 remains to be divided among all the States, according to their population.

| STATES. | Federal population, 1850. | Share in proceeds of public lands. |
|-----------------|---------------------------|------------------------------------|
| Maine, | 369,437 | \$8,387 48 |
| New Hampshire, | 269,326 | 57,473 71 |
| Massachusetts, | 610,408 | 130,487 59 |
| Vermont, | 280,637 | 59,993 93 |
| Rhode Island, | 97,194 | 20,777 12 |
| Connecticut, | 297,665 | 63,631 73 |
| New York, | 1,918,533 | 410,128 29 |
| New Jersey, | 319,933 | 69,889 59 |
| Pennsylvania, | 1,348,072 | 298,176 64 |
| Delaware, | 75,432 | 15,202 93 |
| Maryland, | 405,513 | 86,736 89 |
| Virginia, | 1,023,503 | 218,793 82 |
| North Carolina, | 639,747 | 139,738 45 |
| South Carolina, | 455,035 | 97,270 51 |
| Georgia, | 479,911 | 91,880 52 |
| Alabama, | 362,508 | 76,116 22 |
| Mississippi, | 110,339 | 23,201 19 |
| Louisiana, | 171,694 | 36,702 93 |
| Tennessee, | 625,263 | 135,262 21 |
| Kentucky, | 621,232 | 132,928 77 |
| Ohio, | 925,834 | 204,903 54 |
| Indiana, | 243,031 | 51,939 59 |
| Illinois, | 127,147 | 27,593 25 |
| Missouri, | 130,419 | 27,679 68 |

11.9.8 731

[From the Commercial Advertiser.]

NEW JERSEY RAIL-ROAD AND TRANSPORTATION COMPANY.—The books for subscription to the stock of this company, as will be seen by the advertisement, are to be opened at New Brunswick on Tuesday next; at Elizabethtown on the following day, and at Newark on Thursday. We have read the Charter, which is a very liberal one. The Rail-road is to run from New Brunswick through Rahway and Woodbridge, Elizabethtown and Newark, and to cross the Bergen Ridge, South of the Turnpike, to the Hudson river. The capital is \$750,000, with liberty to the company to increase it to double the amount. The shares are fifty dollars each, and ten per cent. is required as the first instalment. By the act incorporating "the Delaware and Raritan Canal, and the Camden and Amboy Rail-road and Transportation Companies," it is made obligatory on them to construct a lateral Rail-road from their own, commencing at some point near the village of Spotswood, to suitable points in the city of New Brunswick, thus forming a complete chain of internal communication by Rail-roads, between all the business towns between New York and Philadelphia. We understand that there will be much competition for the stock. The State has reserved the right of subscribing for one-fourth of the capital.

[From the Frederick Herald.]

THE RAIL-ROAD.—The transportations on the Rail-road of dry goods, groceries, &c. from Baltimore, during the last week, have greatly exceeded those for the same period since the road has been opened. The business air which the loading of wagons gives

to the depot is quite refreshing, and the forwarding agents appear to have their hands full. On Wednesday last the house of A. H. Brown & Co. forwarded the first train of cars laden with flour from the Point of Rocks to Baltimore, and in all next week the forwarding business from and to "the Point" will regularly commence. Arrangements are also making to run passenger cars thither, to be connected with a line of stages running to Leesburg.

As soon as the 'leafy month' puts on its livery, hundreds of our fellow citizens will embrace the opportunity of witnessing the beautiful scenery which the neighborhood of the "Point" presents: a more delightful excursion we cannot imagine, and we recommend those who have no love for the *genius loci*, but are inclined to gentle melancholy, to visit the Hermit's cave, recently discovered, and gaze upon the skull of its last and tenant—"it may point a moral," though connected with a tale which must be "adorned" by fancy.

Value of a Rail-road.—The Frederick, Md. Examiner says,—"Fifty thousand dollars worth of goods arrived at the depot on Monday before last, in one train of wagons. They consist of groceries, dry goods, lumber, hides, &c. and are consigned to merchants and other persons in Frederick, Middletown, Hagerstown, Harper's Ferry, Charlestown, and other towns to the west."

Rail-road Cars.—This forenoon (April 24,) was exhibited in Monument Square, three splendid Rail-road Cars, constructed at Imley's Factory, for the Philadelphia, Germantown and Norristown Rail-road Company,—the beautiful car President, (decidedly the most splendid car ever made in the United States,) the Robert Morris and the Philadelphia. These are three of fourteen ordered to be built at the factory of the above Company.—[Baltimore American.]

[From the Saratoga Sentinel, April 24.]

RAIL-ROAD.—It is somewhat remarkable, that on the entire line of the Saratoga and Schenectady Rail-road, a distance of a little more than 21 miles, there is no part of the road having an inclination of more than 16 feet to the mile. Consequently no stationary engine is required, and much of the expense in the application of power necessary on other roads, will be saved. Indeed, as a whole, it will be an unusually economical road, and we feel warranted in saying will give to the stockholders a dividend fully equal to that of any Rail-road in the Union.—In proof of this it is only necessary to make the following comparison:—

The Mohawk and Hudson road, which is universally admitted to be the best located of any in the country for passengers, will cost, when finished, from six to seven hundred thousand dollars. On this amount the stockholders will probably receive but about 62 1-2 cents per passenger, and will be compelled to support a stationary engine at the respective terminations of the roads. The Saratoga and Schenectady road will cost not to exceed \$250,000, and the stockholders will be enabled to receive from each passenger between Schenectady and Saratoga Springs, \$1 25, and 87 1-2 cents per passenger between Schenectady and Ballstown Spn, and this without the expense of stationary power. Admitting that one fourth the number of passengers pass on this road (including the pleasure parties between the two villages) that shall travel on the Mohawk and Hudson,—and we believe no one will doubt the correctness of the position,—it will be perceived that the stock of the Saratoga will be the most valuable; but when there shall be added to this the almost entire diversion of the northern travel through the medium of the Fort Edward road, which we have every reason to believe will be constructed, is it too much to say that no Rail-road stock in the country can equal it?

These remarks are made for the purpose correcting many erroneous impressions which have been put afloat to depress the stock in market, and among others, that the business of the road would be confined to a few weeks of summer travel. The result will prove otherwise. The patronage in summer, it is true, will be the greatest; but an extensive and profitable business will continue on the road from the opening of Lake Champlain and the Northern canal until their close.

MARRIAGES.

MARRIED.—On Saturday evening last, by the Rev. J. Harrison, Mr. Otto Terp, to Miss Eliza Van Brant, both of this city. At Grace Church, on Monday morning, April 23d, by the Rev. Dr. Weinwright, Mr. Alfred Lee, of Norwich, (Conn.) to Julia, daughter of E. White, Esq. of this city. In this city, on Wednesday evening last, April 18th, by the

Rev. Mr. Krebs, Timothy Woodruff, Esq. to Mrs. Hepzibah Smith, daughter of the late Jon. Cowdrey, Esq.

DEATHS.

DIED.—Saturday, April 21, of scarlet fever, Sophia Catharine Clay, daughter of Jonathan Davies, in the 6th year of her age. Saturday morning, April 21, in the 74th year of her age, Mrs. Fanny Baichelor. Saturday morning, April 21, after a lingering and painful illness, Frances H., daughter of Samuel Jarvis, in the 14th year of her age. Saturday morning, April 21, in the 71st year of his age, Mr. James Woodham, an old and respectable inhabitant of this city. At Claverack, on the morning of the 8th instant, of typhus fever, Miss Charlotte Mary Hogebom, in the 27th year of her age. At Paris, on the 1st ult., Anne Francis Coomes Clonnon Walecki, daughter of the late John Bulkeley, Esq. of Lisbon, and widow of the late General Humphreys, Minister of the United States of America at Lisbon and at Madrid. Monday evening, 23d inst. In the 38th year of her age, Catherine Maria, wife of Aaron Clark, and eldest daughter of Genl. Anthony Lamb. On Sunday evening, April 22, Mary Ann, only daughter of Mr. Joseph W. Van Voorhis, aged 7 years. On Friday, 20th inst. at Fort Washington, Md. Lieut. George Webb, of the U. S. Army, son in law of Thomas Stagg, of this city. On Monday morning, in the 21st year of his age, William Henry, the son of James Riker. This morning of an illness of three months, with an unshaken hope in Jesus Christ, Amelia, daughter of Thomas and Catharine Lippincott, in the 18th year of her age. On Sunday the 23d at Rockaway, L. I. Mr. John Nestrand in the 76th year of his age. On Sunday last after a long and lingering illness, Mrs. Susanna Morgan, in the 65th year of her age. At Vienna, Ontario Co., on the 24th instant, of a lingering and distressing pulmonary complaint, Col. Richard G. Cuyler aged 33 years. At Philadelphia, on the 22d April, in the 40th year of her age, Margaret M. Collins, wife of Isaac Collins, late of this city.

WEEKLY REPORT OF DEATHS.

The City Inspector reports the death of 110 persons during the week ending on Saturday last, viz.:—26 men, 36 women, 35 boys, and 33 girls.—Of whom 19 were of the age of 1 year and under, 15 between 1 and 2, 13 between 2 and 5, 4 between 5 and 10, 5 between 10 and 20, 11 between 20 and 30, 18 between 30 and 40, 9 between 40 and 50, 8 between 50 and 60, 1 between 60 and 70, 6 between 70 and 80, and 1 between 80 and 90.—Diseases.—Consumption 38, convulsions 8, diarrhoea 1, dropsy 3, dropsy in the head 5, drowned 1, dysentery 1, fever 1, fever scarlet 3, fever, typhus 1, gout 1, hives or croup 3, inflammation of the bowels 3, inflammation of the brain 2, inflammation of the chest 3, intemperance 2, marasmus 2, measles 6, purpura 6, pleurisy 2, quinsy 1, scirrhus of the liver 1, small pox 3, still-born 5, suicide 1, tabes mesenterica 1, unknown 3, whooping cough 2. ABRAHAM D. STEPHENS, City Inspector.

WILLIAMS' NEW-YORK ANNUAL REGISTER FOR 1832.

IN PRESS, by Jonathan Seymour, New-York, and will be published on the 10th April.—THE NEW-YORK ANNUAL REGISTER FOR 1832, by Edwin Williams.—Containing: Part 1. Almanac, Astronomical Observations & Geographical Information. Part 2. Statistics of the State of New-York, viz.:—Towns, Post-offices, Villages, Canals, Rail-roads, Banks, Manufactories, and other information relative to the State. Part 3. Civil & Judicial List, Attorneys & Clergy of the State of New-York. Part 4. National Register, U. S. Government, U. S. Bank, Tariff, &c. To be embellished with elegant Engravings of Public Buildings.—Price, One Dollar and Fifty Cents. Those who procure Six Subscribers, and will remit the money, shall be entitled to one copy gratis. Orders to be addressed to EDWIN WILLIAMS, No. 6 Courtlandt street, New York. The Register will also be for sale by the following Booksellers: Wearce C. Little & Oliver Steele, Albany. W. S. Parker, Troy. Williams & Williams, Utica. Benis & Ward, Canandaigua. James Bogert, Geneva. Mack & Andrus, Ithaca. R. W. Haskins, Buffalo. MARTIN SNYDER, Travelling Agent. A 54

LEXINGTON & OHIO RAIL-ROAD.

NOTICE.—The lettings advertised to take place at Louisville, Kentucky, on the 15th April next, is postponed until the 25th May thereafter, at which time an additional quantity will be prepared and offered for contract, as will be seen on referring to an advertisement inserted in this paper. E. I. WINTER, President, Lexington & Ohio R. R. Co., Lex. Ky.

LEXINGTON & OHIO RAIL-ROAD.

TO CONTRACTORS.—From 23 to 30 miles of the above road will be prepared for contract, and sealed proposals for grading the same will be received at the company's offices in Lexington and Louisville, on the 20th, 25th and 26th May next, where attendance will be given on those days by one of the company's engineers, who will be prepared with the necessary plans, profiles, maps, &c. to impart all the information desired by those offering for contracts. The road offered for contract passes through a country abounding in every thing necessary for the support of hands, and not surpassed in healthfulness by any country. The enterprise holds out to contractors every assurance of profitable employment. E. I. WINTER, President, Lexington & Ohio R. R. Co., Lexington, Ky.

TOWNSEND & DUFFEE, Rope Manufacturers, having machinery for making ropes to any required length (without splice), offer to supply full length Ropes for the inclined planes on Rail-roads at the shortest notice, and deliver them in the City of New-York, if requested. As to the quality of the Rope, the public are referred to J. B. Jarvis, Esq. M. & H. R. R. Co., Albany; or James Archibald, Engineer Hudson & Delaware Canal & R. R. Co., Carbondale, Luzerne County Pennsylvania. Palmyra, Wayne County, New-York, 1st mo. 23d, 1832. 330 if